

C that could slide along the leader for about two-thirds of the [said] leader, said c-weight having a first end, said first end having a first bore therethrough, said c-weight having a second end, said second end having a second bore therethrough, said c-weight having a gap from a first slot to said first bore on one side, on the second side said c-weight having a gap from a second slot to said second bore.

Remarks - General

Several editorial corrections have been made in the specifications, a title of a section has been added as Objects and Advantages.

The objection to the drawings have been noted; new drawings have been submitted and page 6, the Reference Numerals in Drawings of a Bottom Fish Rig, has been deleted.

Enclosed is an Information Disclosure Statement listing the patents mentioned in paragraphs 5 to 11 of the Specifications; Applicant regrets this omission since its value was taken for granted and was not understood.

The claims of record that have been rewritten and replaced with new claims in order to define the invention more particularly over the cited references. These claims are all submitted to be patentable over the cited references because they recite novel structure and thus distinguish physically over every reference and the physical distinctions effect new and unexpected results, thereby indicating that the physical distinction are unobvious.

The Claims All Distinguish Over The References

The three independent claims, and hence all claims, distinguish over the references under Sec. 102 because they recite a new bottom fish rig with different embodiments for an unique removable sliding c-weight and different embodiments for the new horizontal unilateral 3-prong hook.

The Office Summary Action had a Notice of References Cited. Each of these patents have been examined and discussed in the following parts of this section for differences from this immediate patent application for the bottom fish rig.

U.S. Patent No. 5,887,381 to Stephenson has a fishing rig with a free sliding weight, a flexible leader line, sliding glass or plastic beads and swivel connectors to either end of the leader line. The sliding weight and beads move freely to make a clacking noise to attract fish. Stephenson's Carolina rig is shaped differently than the bottom fish rig and does not have movement stops, a c-weight or a horizontal unilateral 3-prong hook.

The device for casting small lures and flies by Halterman, U.S. Patent No. 5,678,351, has a leading section, an intermediate weighted section and a trailing section consisting of a leader and a fly. The intermediate weighted section consists of a core of sticky filter tape or mounting tape that secures the weighted section to make a static casting loop between the leading section and trailing section. Halterman's device looks different, is intended to work at the surface and is not like the bottom fish rig by not having a sliding or removable c-weight, movement stops and a horizontal unilateral 3 prong hook.

Rayburn invented a casting float with line stop, U.S. Patent No. 4,696,125, that is intended to work

on or near the surface. Rayburn's casting float is a hollow-shelled cylinder with various line receiving openings. Rayburn uses a sliding bead to separate the casting float from the line stop, a flat plastic plate. Rayburn's casting float does not resemble the bottom fish rigs sliding c-weight. Rayburn's patent does not illustrate the use of a horizontal unilateral 3-prong hook, a swivel, a leader and a sliding c-weight that is easily attached and removed from the line and is restricted to a limited area by movement stops.

A fishing rig assembly patent was granted to Manno, U.S. Patent No. 4,209,933. Manno's complicated minnow rig relies upon an unique T-shaped wire eyelet projection to attach two lines to a sinker. At the end of the first line, a fish hook is attached by a line to a complex convoluted T-shaped single barb hook. Manno's minnow rig has key components that do not resemble the leader, the removable c-weight, movement stops and a horizontal unilateral 3 prong hook of the bottom fish rig.

U.S. Patent No. 3,701,212 to Gilliam is a salt water sinker. Gilliam's oval sinker resembles an egg sinker with a cut-out central bell shaped protrusion having locking arms on opposite sides that are crimped over the fishing line. Although Gilliam's salt water sinker is detachable, it has a different shape and means of connecting to the fishing line than the removable sliding c-weight. The bottom fish rig is different with a leader, movement stops, swivel and a horizontal unilateral 3 prong hook.

Shriver was granted a bait positioning fishing device patent, U. S. Patent No. 3,118,245. Shriver soldered 2 rods to make 4 perpendicular elongated shift members. A fish hook attachment means was connected by a reverted loop at one end; the other end is attached to the fishing line and a weight. The cross-shaped bait positioning fishing device rests on the bottom and the rod like members deflect weeds away while the line is being reeled. The bottom fish rig is different with a leader, a removable c-weight, movement stops and a horizontal unilateral 3 prong hook.

A removable fishing sinker by Baron, U.S. Patent No. 3,096,599, has a body made of heavy metal with a sleeve made of a light plastic material in which fishing line is inserted and jammed between a sleeve and sinker body into a long central slot. Although the egg-shaped removable fishing sinker could slide freely over the fishing line or could be mounted fixed on a fishing line, Baron's sinker has at least 3 individual components, in contrast to the bottom fish rig's one piece removable c-weight, excluding the hull plug of one embodiment. The removable c-weight is more durable, costs less and is easier to produce than the removable fishing sinker. The bottom fish rig is different, with a leader, removable c-weight, movement stops, swivel and a horizontal unilateral 3-prong hook.

U.S. Patent No. 2,766,549, a sinker and leader assembly by Dickerson discloses at the end a snap for lures and hooks, a swivel, a wire through the first length connected to another swivel, a fixed bead, and another wire passing through the axial bore of a sliding egg sinker and a loop. Dickerson has to disconnect the assembly from the fishing line to remove the egg sinker which is pulled down the main shank of the wire and over the eye. The bottom fish rig is an improvement by being easier to produce than Dickerson's assembly, and by having a c-weight that could be removed without detaching the rig from the fishing line. The bottom fish rig is different with movement stops to prevent the c-weight from interfering with the hook and inhibit the c-weight from sliding over the leader loop and up the fishing line. The bottom fish rig is different with unique components, a removable c-weight and a horizontal unilateral 3 prong hook while other components on the leader are located in different positions and perform tasks differently than their counterparts in the Dickerson assembly.

U.S. Patent No. 2,177,007 to Smith discloses a complicated releasable sinker having weighing means. In Smith's patent the sinker is released to slide down the line an encounter the lure. Smith has a cylindrical bore slip sinker or egg sinker held into a carrier tube by a frictional locking device that fits into a slot in the wall of the egg sinker. Beside having a squeezed split sinker stop member, Smith's patent is different from the bottom fish rig which has a leader, removable c-weight, movement stops, swivel and a horizontal unilateral 3 prong hook.

Pesso was issued U.S. Patent No. 2,019,630 for fishing tackle consisting of a surface float.

Pesso's hollow float does not work like the hollow removable c-weight and the patent does not have any similar features with the bottom fish rig.

U.S. Patent No. 1,883,574 to Cleeland discloses a sinker that attaches to fishing line without parting the line. Cleeland's lead sinker has a streamline body with wire coils on each end and a frictional groove spiral around the body; Cleeland's patent does not have a central bore and does not slide. Cleeland's patent does not have a leader, removable c-weight, movement stops, swivel and a horizontal unilateral 3 prong hook.

A fish hook patent, U. S. Patent No. 1,208,936, was granted to Henry England in 1916. As illustrated in the artwork England's fish hook is designed to dangle from a float to avoid weeds and is not intended to fish on the bottom. Due to its poor construction, England's fish hook has limited snag resistance with one depressible springably weed guard for its small center hook. The 2 long hooks do not have weed guards and are not bent inward or downward to resist snagging as compared to the positioning of the horizontal unilateral 3 prong hook in the bottom fish rig which also avoids injuries. The shank of the horizontal unilateral 3 prong hook of the bottom fish rig is sturdier or stronger by being three shanks fused together as compared to a short single weak shank in England's fish hook. Another difference is the eye of the England's fish hook is in the same plane as the 3 shanks, however, in the bottom fish rig the eye of the horizontal unilateral 3 prong hook is elevated on an incline at approximate the same level or height as the center middle barb, which is important in orienting the horizontal unilateral 3 prong hook upright when being used. Since England's fish hook is weak it needs a cross-piece between the 2 longer hooks, which is not necessary or a feature in the horizontal unilateral 3 prong hook. The bottom fish rig is different than England's patent, with a leader, removable c-weight, movement stops, swivel and a horizontal unilateral 3 prong hook.

None of the references cited show all of the elements of the bottom fish rig, or the removable sliding c-weight or the horizontal unilateral 3 prong hook. The other references cited in the specifications paragraphs 5 to 11 are also deficient in one or more of the above-discussed physical features of the independent claims.

Since the independent claims both recite features which are not present in any reference, applicant submits that these claims, and hence all of the dependent claims, clearly recite novel physical features which distinguish over any and all references.

The Novel Physical Features Of The Claims Provide New And Unexpected Results And Hence Should Be Considered Unobvious, Making The Claims Patentable

Applicant submits that the above recited novel features in the independent claims, and hence in all claims, provide new and unexpected results and hence should be considered unobvious, making the claims patentable.

Specifically by making the bottom fish rig with embodiments of either a horizontal unilateral 3 prong hook or the removable sliding c-weight are novel features. None of the prior-art patents can provide these new and unexpected results.

Since the novel features of applicant's bottom fish rig employing the any of the embodiments of the removable sliding c-weight or the horizontal unilateral 3 prong hook provide these new and unexpected results over any reference, applicant submits that these new results indicate unobvious and hence patent ability. Accordingly applicant respectfully requests reconsideration of the objections and allowance of the present application on its merits with the new claims.

Additional Reasons Mitigate In Favor Of Unobviousness

In addition to the above new and unexpected results, applicant submits that additional reasons mitigate in favor of patent ability as follows:

Unrecognized Problems: Up to now, insofar as applicant is aware, the art contained no indication of the desirability of providing a bottom fish rig with a leader, removable c-weight, movement stops, swivel and a horizontal unilateral 3 prong hook that resists injuries and snagging and whose major components are easily removed and replaced.

Crowed Art: The present invention is in a crowded art affiliated with fishing tackle. It is well recognized that in a crowded art, even a small step forward is worthy of patent protection. While the present invention is submitted to be far more than a small one, nevertheless this factor mitigated in applicant's favor.

Long-Felt But Unsolved Need. The present invention solves a long-existing but unsolved need and therefore is submitted to be worthy of patent protection. Specifically, although fishing rigs have been in use for many years, they had numerous inherent disadvantages, as stated in the prior-art section of the present specification. Users suffered from the inability to remove various components of their fishing rigs without cutting their fishing line and losing valuable time in making a new rig. The present invention addresses these and other features, thereby solving a long-felt need in this area.

Unsuggested Combination: The need for the prior art references themselves to suggest that they can be combined is well-known. E.g., *In re Senaker*, 217 U.S.P.Q. 1, 6 (CAFC 1983):

"[P]rior art references in combination do not make an invention obvious unless something in the prior art referenced would suggest the advantage to be derived from combining their teaching."

The suggestion to combine the references should come from the prior art, rather than from applicant. As was forcefully stated in *Orthopedic Equipment Co Inc. v. United States*, 217 U.S.P.Q. 193, 199 (CAFC 1983):

It is wrong to use the patent in suit [here the patent application] as a guide through the maze of prior art references, combining the right references in the right way to achieve the result of the claims in suit [here the claims at issue]. Monday morning quarterbacking is quite improper when resolving the question of no obviousness in a court of law [here the PTO]."

In this case objections to all of the claims is improper since the invention has merit. There would be no reason for one skilled in the art to combine disparate references and either of the other relied upon references and bar this patent.

The Dependent Claims Are A-fortiori Patentable

The dependent claims add additional novel features and thus are submitted to be, a-fortiori, patentable as elements of unique embodiments.

Other Reference Materials

Applicant has never filed a patent application pro-se. In order to prosecute this action, Applicant relied upon information in a textbook, *Patent It Yourself*, by Patent Attorney David Pressman, 2ed, 1988 which has as a model Amendment A for the invention, Paper-Laminated Pliable Closure for Paper Bags; Appn. No.: 07/088,691; Filing Date: 1987-8-24; Applicant: Koppe, Lou W and Examiner: V.N. Sarkan.

Request for Constructive Assistance

Applicant received a shortened statutory period for reply set to expire (2)two months from the mailing date of the Office Action Summary mailed on 9/9/04. Normally the time limitation is (3) three months. The additional time of one month would have made a significant difference in the quality of the amendments being submitted, and quite frankly that extra month was really needed. Researching the citations, the laws in the 37 CFR and Title 35 USC was extremely time consuming and difficult to calculate the time it took to obtain the information. Thus this reply demonstrates diligence and that the patent application is not being abandoned due to the two month time limitation.

The undersigned applicant, Frank T. Brzozowski has made diligent effort to amend the claims of this application so that they define novel structure in the removable sliding c-weight, the hollow c-weight with a hull plug and the various embodiments of the horizontal unilateral 3-prong hook of the bottom fish rig, which is also submitted to render the claimed structure unobvious because it produces new, better and unexpected results for fishing for bottom feeding fish. If for any reason the claims of this application are not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims, especially the three independent claims, pursuant to MPEP 707.07(j) or in making constructive suggestions pursuant to MPEP 706.03(d) in order that this application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Respectfully submitted,


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Inventor, pro-se

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FAX TRANSMITTAL FORM

To: Teri P. Luu, Supervisory Primary Examiner

United States Patent and Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date Fax Sent: 11-08-04 MONDAY

Mailing Date: 11-9-04

Phone: 703-305-7421

Number of Pages: 46

Fax: 703-872-9306

Message:

RE: Patent application No. 10/724,859, filed on 11-30-03 by Frank Brzozowski
To: Teri P. Luu, Supervisory Primary Examiner:

Examiner Bret C. Hayes sent an Office Summary Action dated 09/09/04 with a 2 month expiration period. I am not abandoning my application and I intend to cure the defects listed in the objections.

Enclosed is the Information Disclosure Statement by Applicant with the citations in paragraphs 5 to 11 of my patent application.

Thank you for all of your help.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,859	11/30/2003	Frank T. Brzozowski		2177

7590 09/09/2004
Frank T. Brzozowski
2357 E. Dauphin Street
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EXAMINER

HAYES, BRET C

ART UNIT PAPER NUMBER

3644

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/724,859
Filing Date	November 30, 2003
First Named Inventor	Brzozowski, Frank T.
Art Unit	3644
Examiner Name	Bret C. Hayes
Attorney Docket Number	

Sheet	1	of	2
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U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		PCT/US2003/038034	11-30-2003	Brzozowski	WO 2004/049782	

**Examiner
Signature**

**Date
Considered**

Signature _____

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

The information is required to obtain or retain a benefit by the public which is to file (and by the

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known

Application Number	10/724,859
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Filing Date	November 30, 2003
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First Named Inventor	Brzozowski Frank T.
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Art Unit	3644
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Examiner Name	Bret C. HAYES
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Attorney Docket Number

Sheet

2

of

12

NON PATENT LITERATURE DOCUMENTS

[illegible]

**Examiner
Signature**

Date
Considered

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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60/430,325 30 November 2002 (30.11.2002) US
- (71) Applicant and
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Dauphin Street, Philadelphia, PA 19125 (US).
- (74) Agent: **BRZOZOWSKI, Frank, T.**; 2357 E. Dauphin
Street, Philadelphia, PA 19125 (US).
- (81) Designated States (*national*): AE, AG, AL, AM, AT, AU,
AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU,

CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH,
GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC,
LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW,
MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC,
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Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM),
European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE,
ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE,
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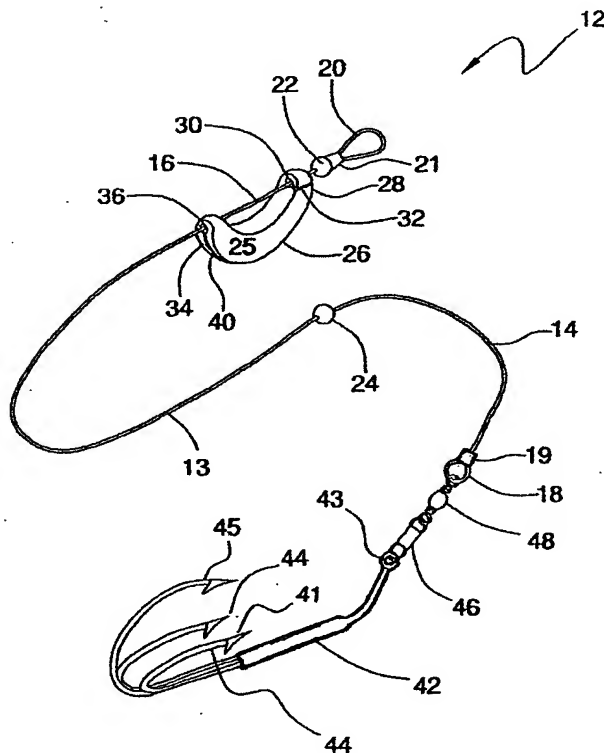
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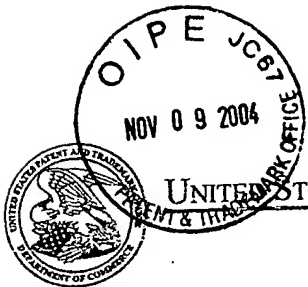
— without international search report and to be republished
upon receipt of that report

[Continued on next page]

(54) Title: **BOTTOM FISH RIG**



(57) Abstract: The present embodiment of the invention relates to a bottom fish rig for use in connection with fishing tackle. The bottom fish rig has particular utility in connection with fishing tackle having a strong leader with a notable new removable sliding c-weight and a horizontal unilateral three pronged hook that resists snagging and reduces possible injuries. A horizontal unilateral three pronged hook differs from the standard treble hook by having all three barbs oriented upwards in a 180 degree plane and that the horizontal unilateral three pronged hook is designed to lie flat on the surface. To attain this, the present embodiment of the invention essentially comprises an elongated leader having a hook end and a line end. The hook end having a leader hook loop and the leader line end having a leader line loop. A split shot is crimped in front of a leader line loop to the leader. A second split shot is crimped to the leader about two-thirds of the length. A sliding c-weight is connected to the leader in this area. The c-weight has a first end having a first bore with an external slot on one side and a second end having a second bore with an external slot on the other side in which the leader is slid into and attached to the sliding weight. At the other end a snap and swivel is attached to the leader hook loop which is used to attach a horizontal unilateral three pronged hook.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,859	11/30/2003	Frank T. Brzozowski		2177

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EXAMINER

HAYES, BRET C

ART UNIT	PAPER NUMBER
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3642

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary	Application No. 10/724,859	Applicant(s) BRZOZOWSKI, FRANK T.
	Examiner Bret C Hayes	Art Unit 3644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☒ Claim(s) 1-19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. An examination of this application reveals that applicant is not altogether familiar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

Applicant is advised of the availability of the publication "Attorneys and Agents Registered to Practice Before the U.S. Patent and Trademark Office." This publication is for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Information Disclosure Statement

2. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Drawings

3. The drawings are objected to because page 6 is a listing of components of the claimed invention and includes no Figure number. To correct this, amend the page to include a Figure number and amend the specification to include a brief description of the drawing sheet.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claims 1 – 19 are objected to because of the following informalities.
5. Claim 1, line 17 (1:17, hereinafter), "the said" before "leader" should be either --the leader-- or --said leader--; 1:20, "on one side ," should be --on one side,--; 1:21, "the second side" should be --the other side--; 1:32, "the lake bottom" should be --a lake bottom--.
6. Claims 2 – 12, examiner suggests revisiting and revising the claims to eliminate verboseness, such as limitations previously recited. An example of which includes, 2:8, "said c-weight having a central longitudinal groove therein for allowing the c-weight to be fixedly connected to said leader." This limitation is fully recited in the base claim and the claim should

Art Unit: 3644

avoid repeating the limitation unless a new and different limitation is made in the dependent claim to narrow the scope of the claim. All such unnecessary obfuscation should be avoided.

7. Claim 3, line 8, "said c-weight having...out of the c-weight", examiner suggests the following: --wherein the (or said) first end has an inclined first slot and the (or said) second end has an inclined second slot to hinder the c-weight from being removed from the leader--.

Examiner notes in the preceding suggestion that the term --the (or said)-- is meant to suggest the use of only one, --the--, or the other, --said--, and the claim must not be revised to include both.

This will apply to all following similar objections.

8. Claim 4, line 5, "gasp" should be --gaps--.

9. Claims 5 – 7 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Similarly to claim 2, as described above, claim 5 does not narrow the scope of the base claim in that both recited stops are comprised of crimped split shot in claim 1 at lines 7, 8, 11 and 12, respectively. Regarding claims 6 and 7, claim 1, lines 25 and 26, respectively, recite the claimed limitations.

10. Claim 8, line 9, "with a smaller distance from said shank to said eye" than what?

11. Claim 12, line 1, "method of the" should be removed as no method has been recited and it appears that the claim is merely limiting the scope of the elongated leader of claim 1, line 2.

12. Claim 13, line 17, "the said" before "leader" should be either --the leader-- or --said leader--; 13:26, "a hull" should be --wherein the (or said) hull-- and "a hollow" should be --the (or said) hollow--; 13:32, "the lake bottom" should be --a lake bottom--.

Art Unit: 3644

13. Claim 14, line 1, "comprising...therein" should be replaced with --wherein the (or said) leader hook loop is formed by a knot therein and the (or said) leader line loop is formed by a knot therein--.
14. Claims 15 – 19, examiner suggests revisiting and revising the claims to eliminate verboseness, such as limitations previously recited similarly to claims 2 – 12 noted above.
15. Claim 17, line 6, "gasp" should be --gaps--.
16. Claim 18, lines 7 and 10, the phrase "such as" should be replaced with --including--, line 9, insert --any-- before "from", lines 11 and 12, "by products" should be --byproducts--, lines 12 and 18, "and the like" should be removed entirely, and lines 19 – 21 should be removed and replaced with --wherein the (or said) hollow c-weight hull includes small through-holes to allow passage of the objects, substances or material to attract fish--.
17. Claim 19, line 2, "affiliated with" should be --having--, line 16, "and the like" should be removed entirely, and lines 17 – 19 should be removed or the claim amended to depend upon claim 18 and the lines amended as suggested for lines 19 – 21 of claim 18 above.
18. Appropriate correction is required.

Allowable Subject Matter

19. Claims 1 – 19 would be allowable if amended to overcome the objections raised above.
20. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record neither discloses nor fairly teaches the recited limitations of the claimed combination including, but not limited to: an elongated leader, a first stop, a second stop, a c-weight as claimed, a swivel, a snap, and a horizontal unilateral three-prong hook.

Application/Control Number: 10/724,859

Art Unit: 3644

21. This statement is not intended to necessarily state all the reasons for allowance or all the details why the claims are allowed and has not been written to specifically or impliedly state that all the reasons for allowance are set forth (MPEP 1302.14).

Conclusion

22. This application is in condition for allowance except for the following formal matters:

See the objections to the claims 1 – 19 above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte*

Quayle, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication should be directed to Bret Hayes at telephone number (703) 306 – 0553. The examiner can normally be reached Monday through Friday from 5:30 am to 3:00 pm, Eastern Standard Time. Also, should Applicant wish to speak to the examiner via a telephonic interview, examiner is amenable to such.

If attempts to contact the examiner by telephone are unsuccessful, the examiner's supervisor, Teri Luu, can be reached at (703) 305 – 7421. The fax number is (703) 872 – 9306.

bh

9/5/04



TERI P. LUU
SUPERVISORY PRIMARY EXAMINER



Notice of References Cited

Application/Control No.

10/724,859

Applicant(s)/Patent Under
Reexamination
BRZOZOWSKI, FRANK T.

Examiner

Bret C Hayes

Art Unit

3644

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,887,381	03-1999	Stephenson, Timothy L.	43/43.15
	B	US-5,678,351	10-1997	Halterman, Jr., Danny R.	43/43.1
	C	US-4,696,125	09-1987	Rayburn, Walter	43/43.14
	D	US-4,209,933	07-1980	Manno, Joseph T.	43/43.15
	E	US-3,701,212	10-1972	Gilliam, Joe L.	43/44.87
	F	US-3,118,245	01-1964	Shriver, Lloyd L.	43/43.15
	G	US-3,096,599	07-1963	Baron, Charles	43/44.9
	H	US-2,766,549	10-1956	Dickerson, William	43/44.98
	I	US-2,703,947	03-1955	Petrasek et. al.	43/42.39
	J	US-2,177,007	10-1939	Smith, Wallace E.	43/44.88
	K	US-2,019,630	11-1935	Peeso, Martin E.	43/43.11
	L	US-1,883,574	10-1932	Cleeland, John S.	43/43.1
	M	US-1,208,936	12-1916	England, Henry	43/43.6

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

FRANK T BRZOZOWSKI

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FAX TRANSMITTAL FORM

To: Teri P. Luu, Supervisory Primary Examiner

United States Patent and Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date Fax Sent: 11-08-04 MONDAY
Mailing Date: 11-9-04

Phone: 703-305-7421
Fax: 703-872-9306

Number of Pages: 14

Message:

RE: Patent application No. 10/724,859, filed on 11-30-03 by Frank Brzozowski
To: Teri P. Luu, Supervisory Primary Examiner:

Examiner Bret C. Hayes sent an Office Summary Action dated 09/09/04 with a 2 month expiration period. I am not abandoning my application and I intend to cure the defects listed in the objections.

Enclosed is the Request for Approval of Proposed Drawing Amendment and Replacement Sheets.

Thank you for all of your help.

In the United States Patent and Trademark Office

Serial Number: Pub. No.: US 2004/0107629 A1 June 10, 2004

Appn. Filed: November 30, 2003

Applicant(s): Frank T. Brzozowski

Appn. Title: BOTTOM FISH RIG

Examiner/GAU: Bret C. Hayes Art Unit 3644

Mailed: November 9, 2004

At: Philadelphia, PA.

Request for Approval of Proposed Drawing Amendment

Commissioner of Patents and Trademarks
Washington, District of Columbia 20231

Sir:

Applicant(s) respectfully request(s) permission to amend the drawing(s) of the above application after allowance. The proposed changes are indicated in red on the photocopy(ies) of Fig.(s) 1, 5, 6, 7, 8, 10, 11 delete p. 6 or sheets 6 page thereof attached hereto.

Very respectfully,
Applicant(s): Frank T. Brzozowski
Frank T. Brzozowski

c/o: Frank T. Brzozowski

2357 E. Dauphin Street

Philadelphia, PA 19125

Tel.: 215-425-7672



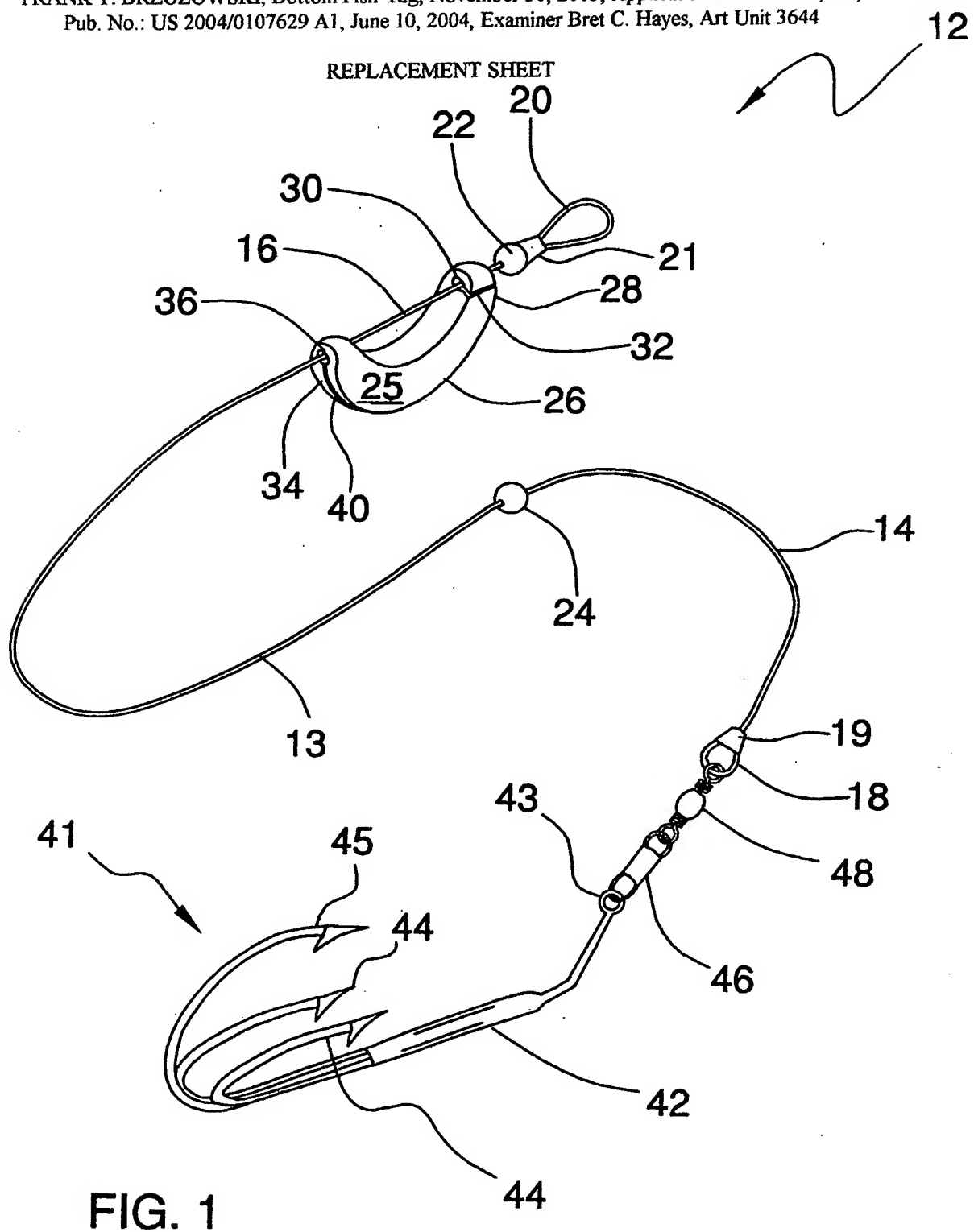
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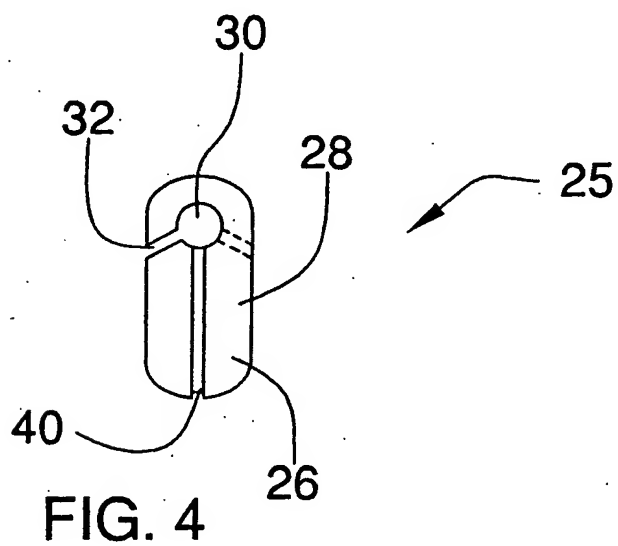
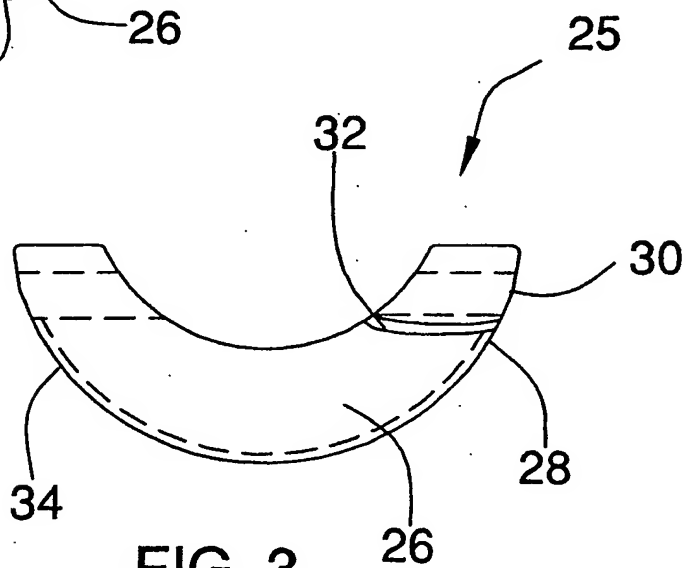
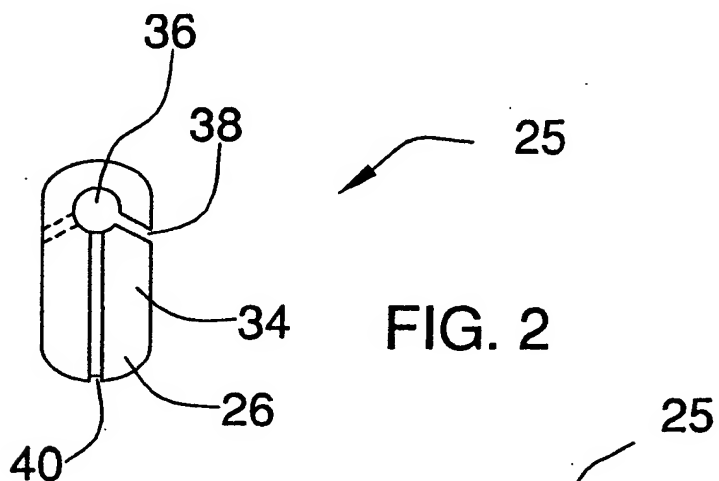
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,859	11/30/2003	Frank T. Brzozowski		2177
7590		09/09/2004		
Frank T. Brzozowski				
2357 E. Dauphin Street				
Philadelphia, PA 19125				
		EXAMINER		
		HAYES, BRET C		
		ART UNIT		
		PAPER NUMBER		
		3644		

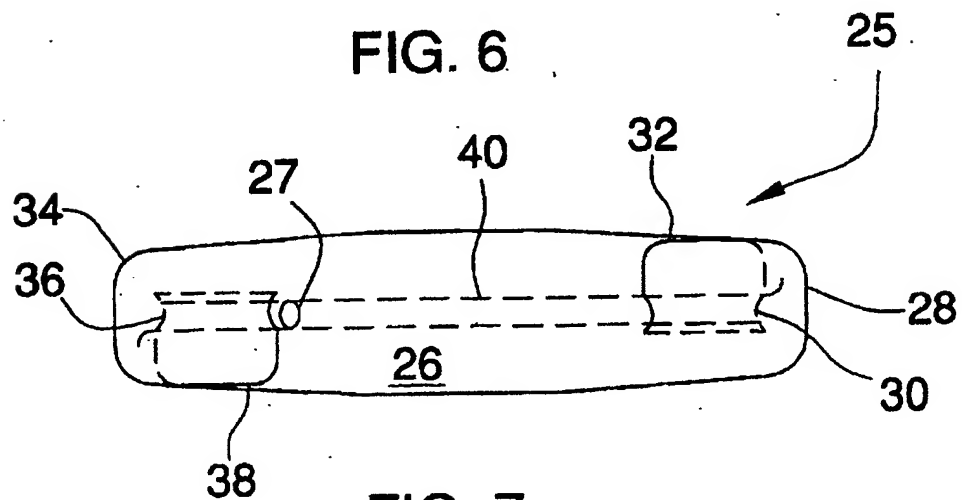
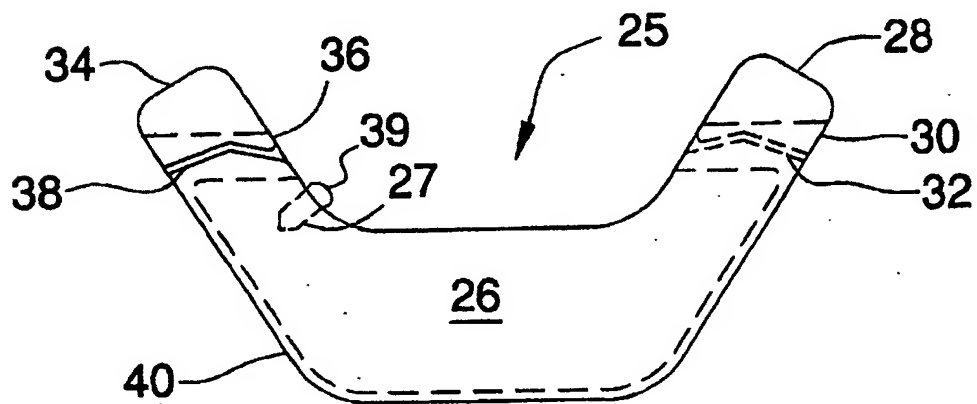
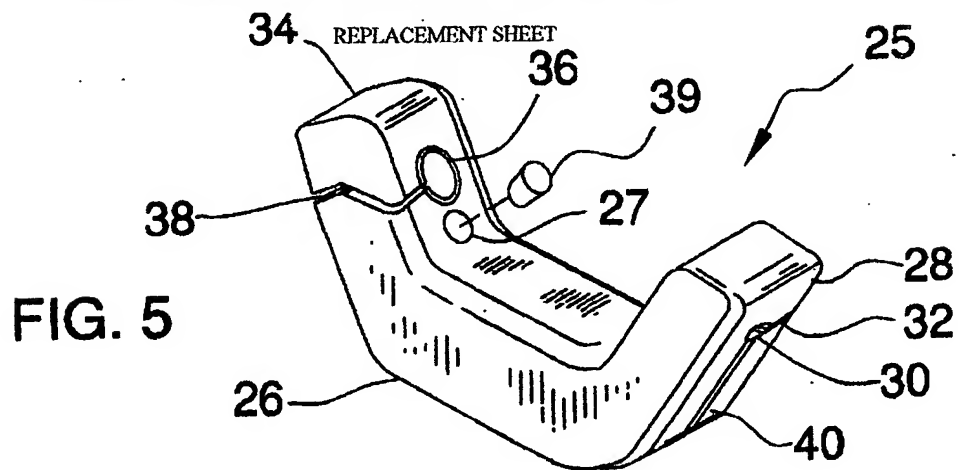
DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



REPLACEMENT SHEET





REPLACEMENT SHEET

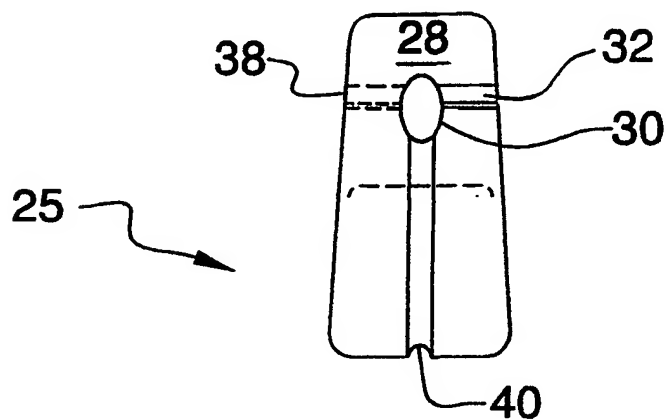


FIG. 8

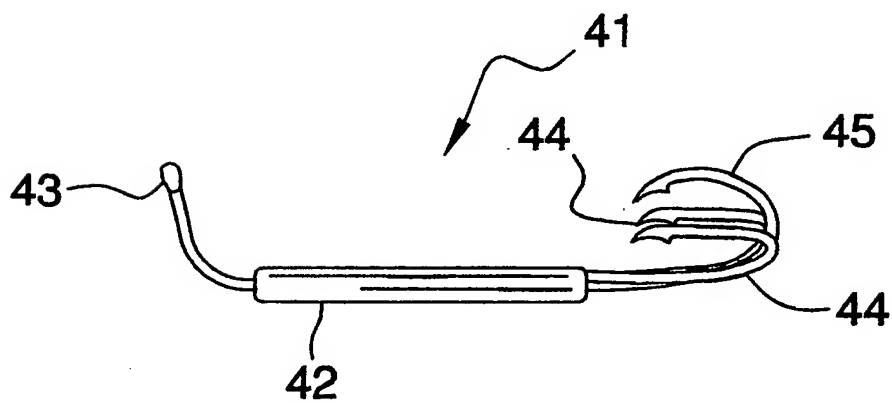


FIG. 9

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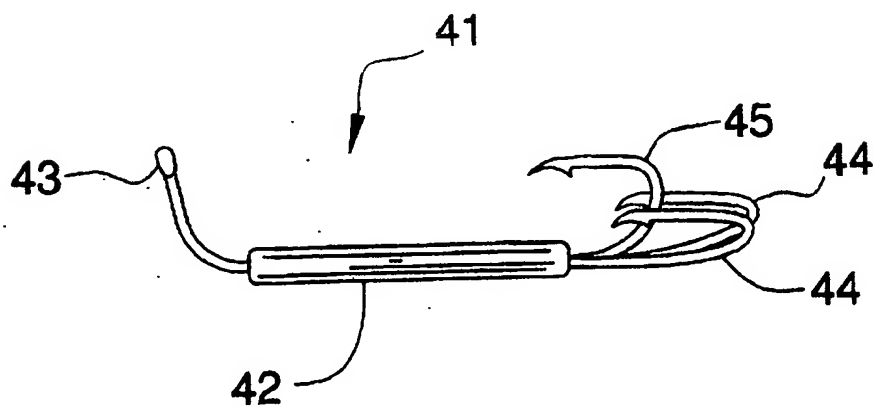


FIG. 10

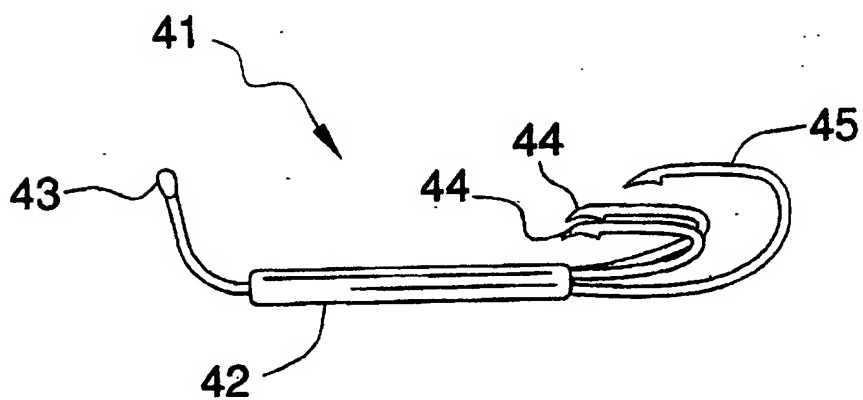


FIG. 11

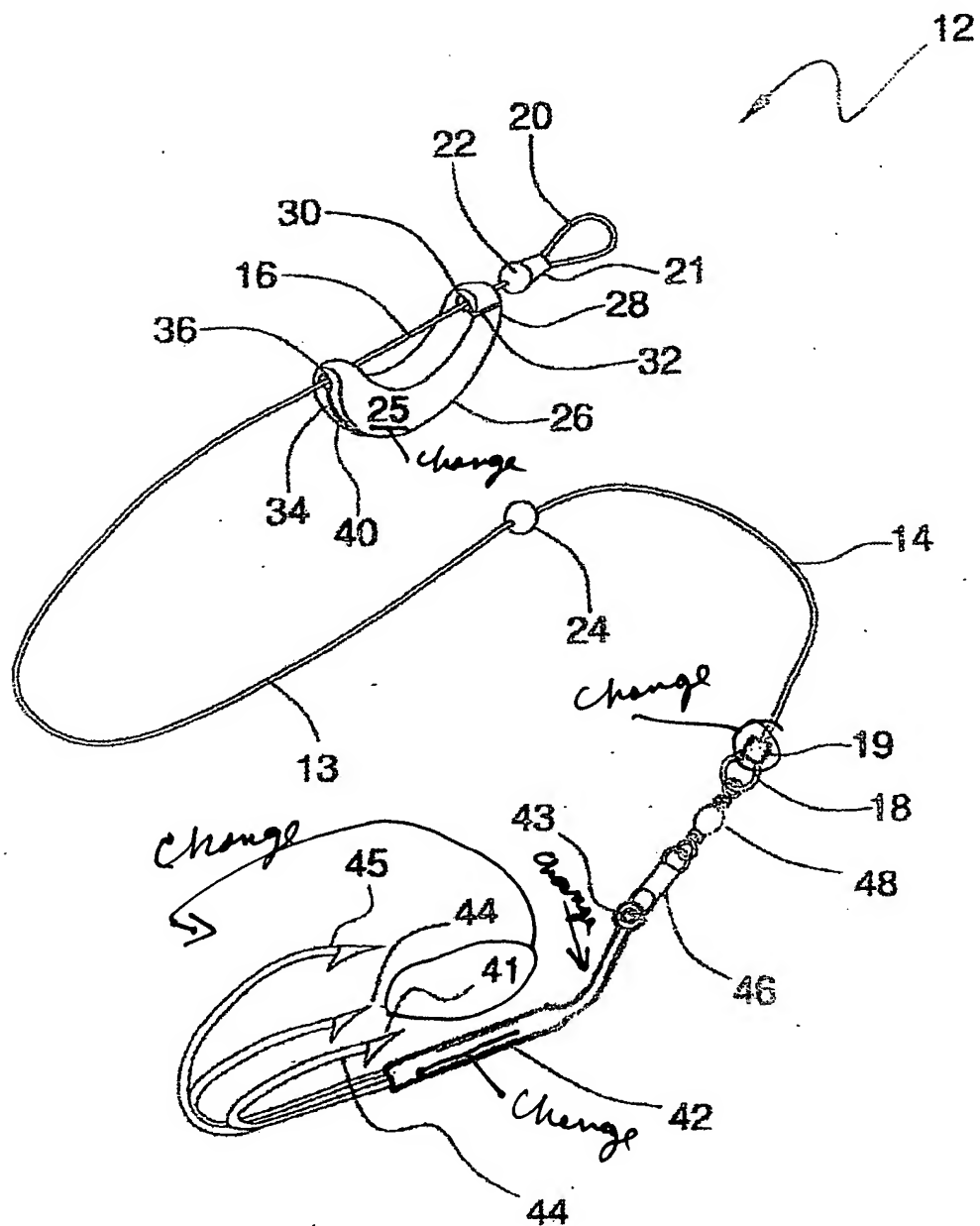
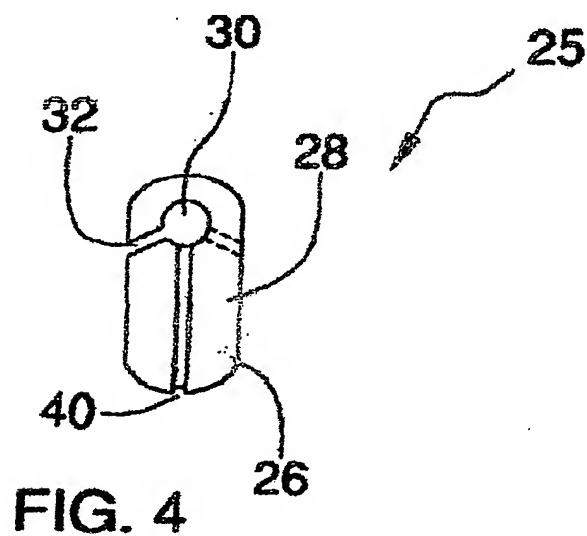
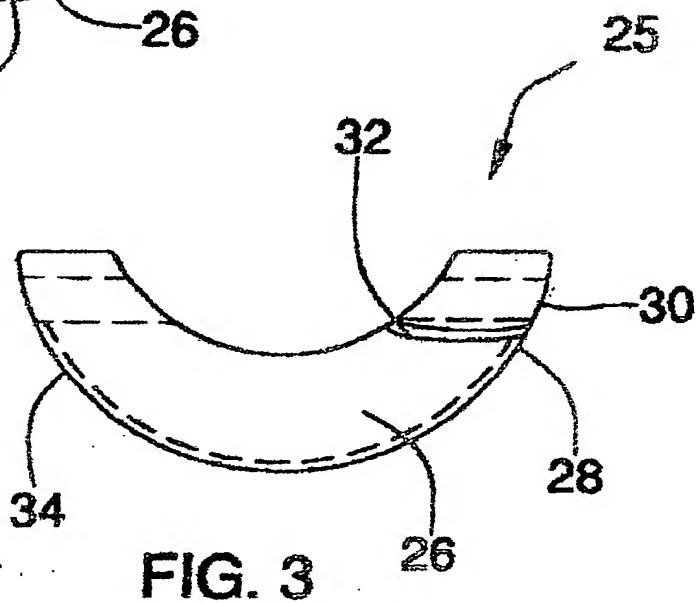
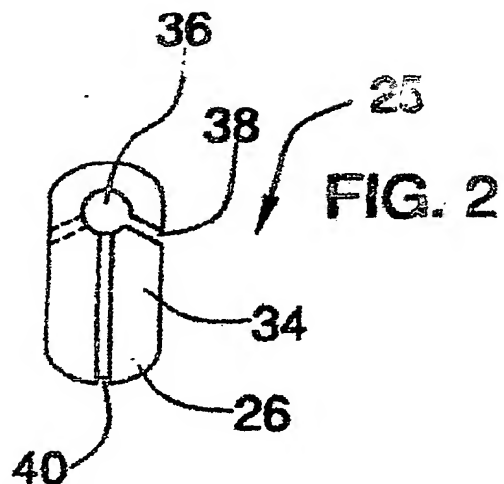
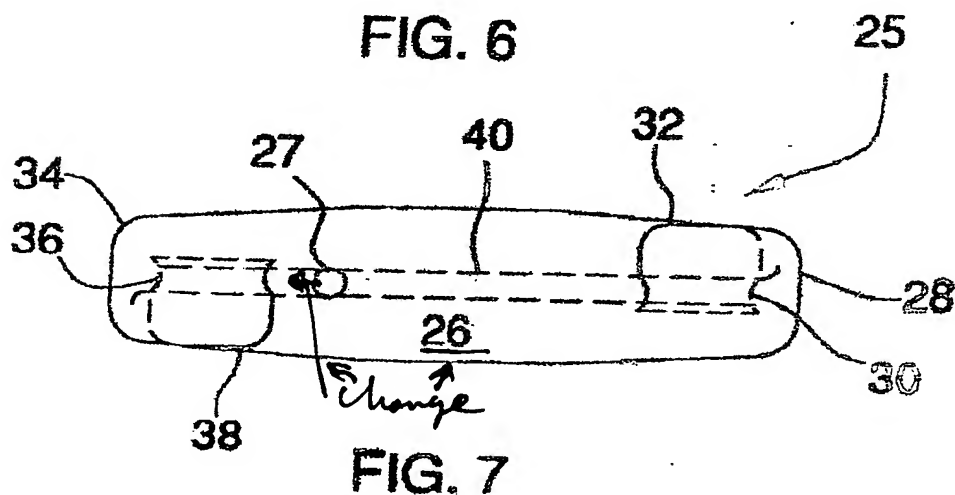
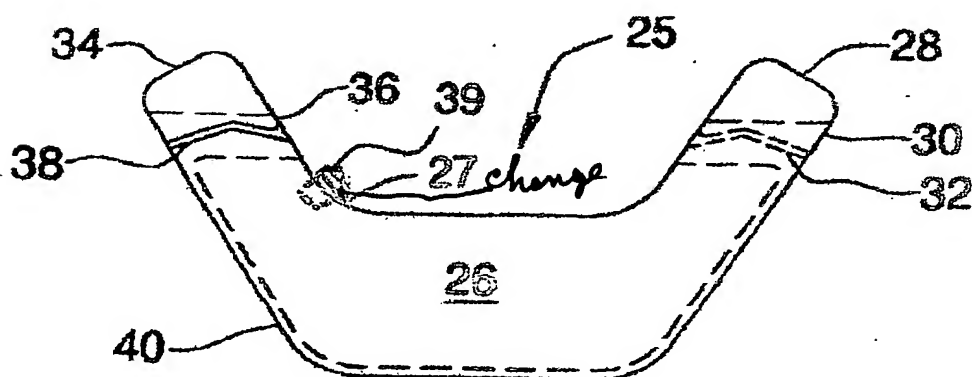
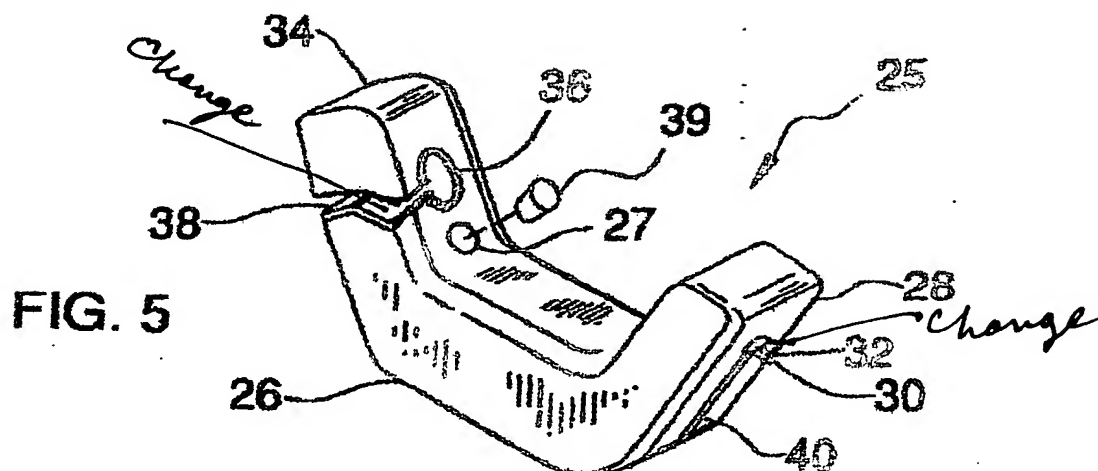


FIG. 1

NO CHANGES





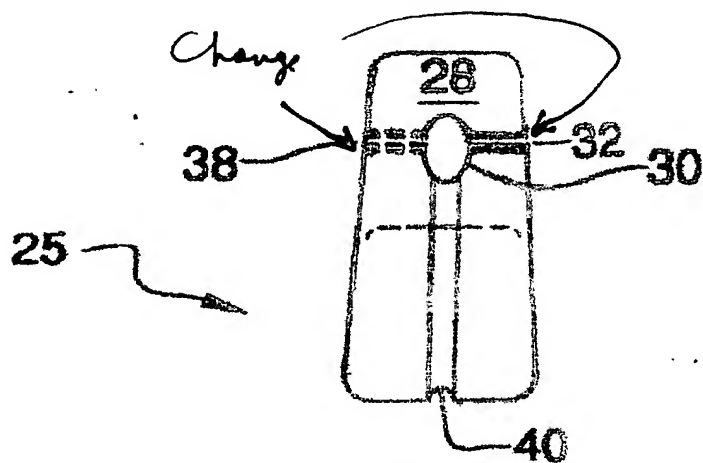


FIG. 8

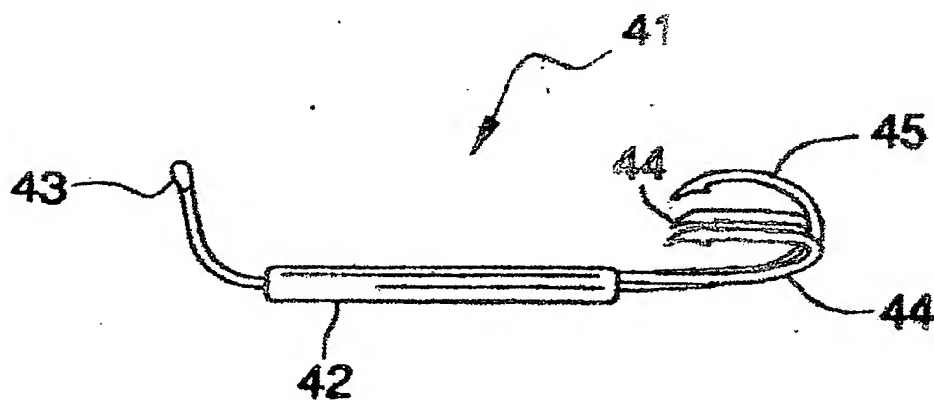


FIG. 9

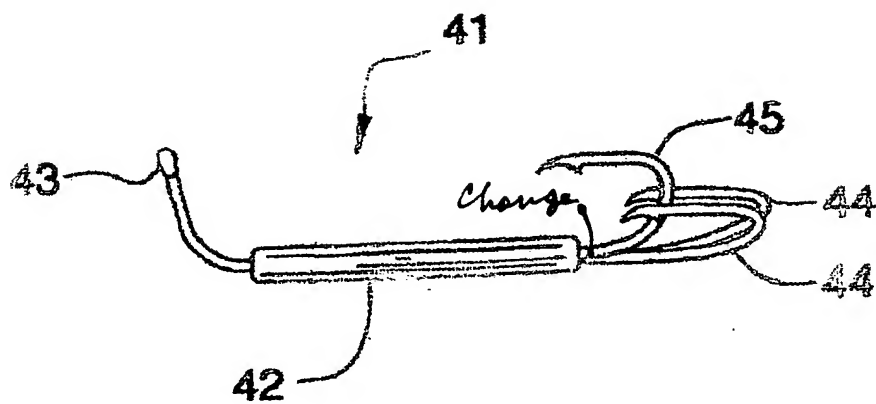


FIG. 10

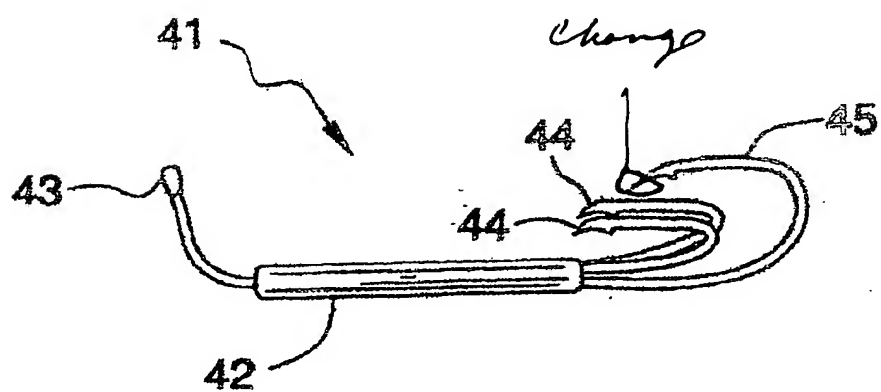


FIG. 11

*Change**Delete PAGE***REFERENCE NUMERALS IN DRAWINGS OF A BOTTOM FISH RIG**

12	bottom fish rig	38	c-weight second slot
13	leader	39	hull hole plug
14	leader hook end	40	c-weight groove
16	leader line end	41	horizontal unilateral 3-prong hook
18	leader hook loop	42	shank
19	leader hook loop lug	43	eye
20	leader line loop	44	outer hook barb
21	leader line loop lug	45	center hook barb
22	first movement stop	46	snap
24	second movement stop	48	swivel
25	removable sliding c-weight		
26	c-weight hull		
27	c-weight hull hole		
28	c-weight first end		
30	c-weight first bore		
32	c-weight first slot		
34	c-weight second end		
36	c-weight second bore		

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FAX TRANSMITTAL FORM

To: Teri P. Luu, Supervisory Primary Examiner

**United States Patent and Trademark Office
Commissioner for Patents
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Alexandria, VA 22313-1450**

**Date Fax Sent: 11-09-04 TUESDAY
Mailing Date: 11-9-04**

**Phone: 703-305-7421
Fax: 703-872-9306**

Number of Pages: 5

Message:

**RE: Patent application No. 10/724,859, filed on 11-30-03 by Frank Brzowski
To: Teri P. Luu, Supervisory Primary Examiner:**

Examiner Bret C. Hayes sent an Office Summary Action dated 09/09/04 with a 2 month expiration period I am not abandoning my application and I intend to cure the defects listed in the objections.

**Enclosed is the Reply to Notice of References Cited in the Office Action Summary
with the citations and comments supporting my patent application.**

Thank you for all of your help.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Publication No.: US 2004/0107629 A1 June 10, 2004
Application No.: 10/724,859
Appn. Filed: November 30, 2003
Applicant: Frank T. Brzozowski, pro-se
Appn. Title: BOTTOM FISH RIG
Examiner: Bret C. Hayes
Art Unit: 3644

Reply to Notice of References Cited in the Office Action Summary

Commissioner of Patents and Trademarks
Washington, District of Columbia

Sir:

Attached is your Notice of References Cited Form PTO-892 listing patents relevant to this action. Following are comments distinguishing the material cited from my patent application:

U.S. Patent No. 5,887,381 to Stephenson has a fishing rig with a free sliding weight, a flexible leader line, sliding glass or plastic beads and swivel connectors to either end of the leader line. The sliding weight and beads move freely to make a clacking noise to attract fish. Stephenson's Carolina rig is shaped differently than the bottom fish rig and does not have movement stops, a c-weight or a horizontal unilateral 3-prong hook.

The device for casting small lures and flies by Halterman, U.S. Patent No. 5,678,351, has a leading section, an intermediate weighted section and a trailing section consisting of a leader and a fly. The intermediate weighted section consists of a core of sticky filter tape or mounting tape that secures the weighted section to make a static casting loop between the leading section and trailing section. Halterman's device looks different, is intended to work at the surface and is not like the bottom fish rig by not having a sliding or removable c-weight, movement stops and a horizontal unilateral 3 prong hook.

Rayburn invented a casting float with line stop, U.S. Patent No. 4,696,125, that is intended to work on or near the surface. Rayburn's casting float is a hollow-shelled cylinder with various line receiving openings. Rayburn uses a sliding bead to separate the casting float from the line stop, a flat plastic plate. Rayburn's casting float does not resemble the bottom fish rigs sliding c-weight. Rayburn's patent does not illustrate the use of a horizontal unilateral 3-prong hook, a swivel, a leader and a sliding c-weight that is easily attached and removed from the line and is restricted to a limited area by movement stops.

A fishing rig assembly patent was granted to Manno, U.S. Patent No. 4,209,933. Manno's complicated minnow rig relies upon an unique T-shaped wire eyelet projection to attach two lines to a sinker. At the end of the first line, a fish hook is attached by a line to a complex convoluted T-shaped single barb hook. Manno's minnow rig has key components that do not resemble the leader, the removable c-weight, movement stops and a horizontal unilateral 3 prong hook of the bottom fish rig.

U.S. Patent No. 3,701,212 to Gilliam is a salt water sinker. Gilliam's oval sinker resembles an egg sinker with a cut-out central bell shaped protrusion having locking arms on opposite sides that are crimped over the fishing line. Although Gilliam's salt water sinker is detachable, it has a different shape and means of connecting to the fishing line than the removable sliding c-weight. The bottom fish rig is different with a leader, movement stops, swivel and a horizontal unilateral 3 prong hook.

Shriver was granted a bait positioning fishing device patent, U. S. Patent No. 3,118,245. Shriver

soldered 2 rods to make 4 perpendicular elongated shift members. A fish hook attachment means was connected by a reverted loop at one end; the other end is attached to the fishing line and a weight. The cross-shaped bait positioning fishing device rests on the bottom and the rod like members deflect weeds away while the line is being reeled. The bottom fish rig is different with a leader, a removable c-weight, movement stops and a horizontal unilateral 3 prong hook.

A removable fishing sinker by Baron, U.S. Patent No. 3,096,599, has a body made of heavy metal with a sleeve made of a light plastic material in which fishing line is inserted and jammed between a sleeve and sinker body into a long central slot. Although the egg-shaped removable fishing sinker could slide freely over the fishing line or could be mounted fixed on a fishing line, Baron's sinker has at least 3 individual components, in contrast to the bottom fish rig's one piece removable c-weight, excluding the hull plug of one embodiment. The removable c-weight is more durable, costs less and is easier to produce than the removable fishing sinker. The bottom fish rig is different, with a leader, removable c-weight, movement stops, swivel and a horizontal unilateral 3-prong hook.

U.S. Patent No. 2,766,549, a sinker and leader assembly by Dickerson discloses at the end a snap for lures and hooks, a swivel, a wire through the first length connected to another swivel, a fixed bead, and another wire passing through the axial bore of a sliding egg sinker and a loop. Dickerson has to disconnect the assembly from the fishing line to remove the egg sinker which is pulled down the main shank of the wire and over the eye. The bottom fish rig is an improvement by being easier to produce than Dickerson's assembly, and by having a c-weight that could be removed without detaching the rig from the fishing line. The bottom fish rig is different with movement stops to prevent the c-weight from interfering with the hook and inhibit the c-weight from sliding over the leader loop and up the fishing line. The bottom fish rig is different with unique components, a removable c-weight and a horizontal unilateral 3 prong hook while other components on the leader are located in different positions and perform tasks differently than their counterparts in the Dickerson assembly.

U.S. Patent No. 2,177,007 to Smith discloses a complicated releasable sinker having weighing means. In Smith's patent the sinker is released to slide down the line an encounter the lure. Smith has a cylindrical bore slip sinker or egg sinker held into a carrier tube by a frictional locking device that fits into a slot in the wall of the egg sinker. Beside having a squeezed split sinker stop member, Smith's patent is different from the bottom fish rig which has a leader, removable c-weight, movement stops, swivel and a horizontal unilateral 3 prong hook.

Pesso was issued U.S. Patent No. 2,019,630 for fishing tackle consisting of a surface float. Pesso's hollow float does not work like the hollow removable c-weight and the patent does not have any similar features with the bottom fish rig.

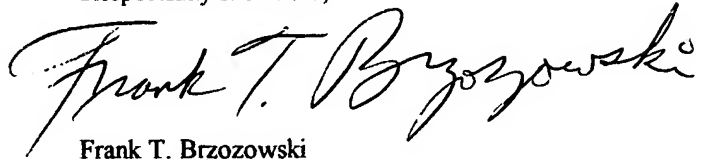
U.S. Patent No. 1,883,574 to Cleeland discloses a sinker that attaches to fishing line without parting the line. Cleeland's lead sinker has a streamline body with wire coils on each end and a frictional groove spiral around the body; Cleeland's patent does not have a central bore and does not slide. Cleeland's patent does not have a leader, removable c-weight, movement stops, swivel and a horizontal unilateral 3 prong hook.

A fish hook patent, U. S. Patent No. 1,208,936, was granted to Henry England in 1916. As illustrated in the artwork England's fish hook is designed to dangle from a float to avoid weeds and is not intended to fish on the bottom. Due to its poor construction, England's fish hook has limited snag resistance with one depressible springably weed guard for its small center hook. The 2 long hooks do not have weed guards and are not bent inward or downward to resist snagging as compared to the positioning of the horizontal unilateral 3 prong hook in the bottom fish rig which also avoids injuries. The shank of the horizontal unilateral 3 prong hook of the bottom fish rig is sturdier or stronger by being three shanks fused together as compared to a short single weak shank in England's fish hook. Another difference is the eye of the England's fish hook is in the same plane as the 3 shanks, however, in the bottom fish rig the eye of the horizontal unilateral 3 prong hook is elevated on an incline at approximate the same level or height as the

center middle barb, which is important in orienting the horizontal unilateral 3 prong hook upright when being used. Since England's fish hook is weak it needs a cross-piece between the 2 longer hooks, which is not necessary or a feature in the horizontal unilateral 3 prong hook. The bottom fish rig is different than England's patent, with a leader, removable c-weight, movement stops, swivel and a horizontal unilateral 3 prong hook.

None of the references cited show all of the elements of the bottom fish rig, or the removable sliding c-weight or the horizontal unilateral 3 prong hook.

Respectfully submitted,

A handwritten signature in black ink that reads "Frank T. Brzozowski". The signature is written in a cursive, flowing style with a large, prominent "F" and "B".

Frank T. Brzozowski
Inventor, pro-se

Frank T. Brzozowski
2357 E. Dauphin Street
Philadelphia, PA 19125
215-425-7672

Notice of References Cited

Application/Control No.

10/724,859

Applicant(s)/Patent Under
Reexamination
BRZOZOWSKI, FRANK T.

Examiner

Bret C Hayes

Art Unit

3644

Page 1 of 1

U.S. PATENT DOCUMENTS

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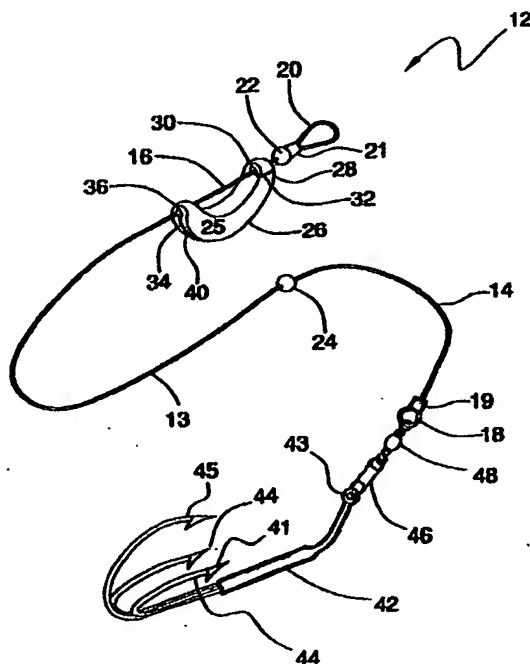
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(54) Title: **BOTTOM FISH RIG**



(57) Abstract: The present embodiment of the invention relates to a bottom fish rig for use in connection with fishing tackle. The bottom fish rig has particular utility in connection with fishing tackle having a strong leader with a notable new removable sliding c-weight and a horizontal unilateral three pronged hook that resists snagging and reduces possible injuries. A horizontal unilateral three pronged hook differs from the standard treble hook by having all three barbs oriented upwards in a 180 degree plane and that the horizontal unilateral three pronged hook is designed to lie flat on the surface. To attain this, the present embodiment of the invention essentially comprises an elongated leader having a hook end and a line end. The hook end having a leader hook loop and the leader line end having a leader line loop. A split shot is crimped in front of a leader line loop to the leader. A second split shot is crimped to the leader about two-thirds of the length. A sliding c-weight is connected to the leader in this area. The c-weight has a first end having a first bore with an external slot on one side and a second end having a second bore with an external slot on the other side in which the leader is slid into and attached to the sliding weight. At the other end a snap and swivel is attached to the leader hook loop which is used to attach a horizontal unilateral three pronged hook.

WO 2004/049788 A2

WO 2004/049788 A2



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PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTICE INFORMING THE APPLICANT OF THE
COMMUNICATION OF THE INTERNATIONAL
APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

To:

BRZOWSKI, Frank, T.
2357 E. Dauphin Street
Philadelphia, PA 19125
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year) 17 June 2004 (17.06.2004)		
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International application No. PCT/US2003/038034	International filing date (day/month/year) 30 November 2003 (30.11.2003)	Priority date (day/month/year) 30 November 2002 (30.11.2002)
Applicant BRZOWSKI, Frank, T.		

1. Notice is hereby given that the International Bureau has communicated, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this notice:

AU, AZ, BY, CH, CN, CO, DZ, EP, HU, JP, KG, KP, KR, MD, MK, MZ, RU, TM, US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:

AE, AG, AL, AM, AP, AT, BA, BB, BG, BR, BZ, CA, CR, CU, CZ, DE, DK, DM, EA, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, ID, IL, IN, IS, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, SC, SD, SE, SG, SK, SL, SY, TJ, TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW

The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).

3. Enclosed with this notice is a copy of the international application as published by the International Bureau on 17 June 2004 (17.06.2004) under No. WO 2004/049788

4. **TIME LIMITS** for filing a demand for international preliminary examination and for entry into the national phase

The applicable time limit for entering the national phase will, subject to what is said in the following paragraph, be **30 MONTHS** from the priority date, not only in respect of any elected Office if a demand for international preliminary examination is filed before the expiration of 19 months from the priority date, but also in respect of any designated Office, in the absence of filing of such demand, where Article 22(1) as modified with effect from 1 April 2002 applies in respect of that designated Office. For further details, see *PCT Gazette* No. 44/2001 of 1 November 2001, pages 19926, 19932 and 19934, as well as the *PCT Newsletter*, October and November 2001 and February 2002 issues.

In practice, time limits other than the 30-month time limit will continue to apply, for various periods of time, in respect of certain designated or elected Offices. For regular updates on the applicable time limits (20, 21, 30 or 31 months, or other time limit), Office by Office, refer to the *PCT Gazette*, the *PCT Newsletter* and the *PCT Applicant's Guide*, Volume II, National Chapters, all available from WIPO's Internet site, at <http://www.wipo.int/pct/en/index.html>.

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It is the applicant's sole responsibility to monitor all these time limits.

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WO 2004/049788

PCT/US2003/038034

BOTTOM FISH RIG

BACKGROUND OF THE INVENTION

Field of the Invention

The present embodiment of the invention relates to a bottom fish rig for use in connection with fishing tackle. The bottom fish rig has particular utility in connection with fishing tackle having a strong leader with a notable new removable sliding weight and a horizontal unilateral three pronged hook that resists snagging and reduces possible injuries. A horizontal unilateral three pronged hook differs from the standard treble hook by having all three barbs oriented upwards in a 180 degree plane and that the horizontal unilateral three pronged hook is designed to lie flat on the surface.

Description of the Prior Art

Bottom fish rigs are desirable for fresh water and salt water fishing. Carp and other bottom dwelling fish typically tap bait with their nose several times before picking it up. If the fish feels tension in the line when it bumps the bait, it may not strike. The following invention allows the fish to tap and pull the bait and have the leader freely move through the sliding c-weight until the leader end hits a movement stop when the bait on the hook is set. Different c-weights and horizontal unilateral three pronged hooks could be removed and also reinserted onto the leader without cutting the line.

The use of fishing tackle is known in the prior art. For example, United States Patent Number 4,914,852 to Hnizdor discloses a tandem double offset fishhook includes first and second hooks, each having a shank, an offset bend curving concavely from one end of the shank and a point at the end of the bend. The shank of one of the first and second hooks is longer than the other shank with respect to the eye formed at one end of one of the shanks so as to space the points of the first and second shanks apart. The offset bends of the first and second hooks are disposed at equal inverted angles on opposite sides of a vertical plane through the first and second shanks to generate forces which cause the fishhook to rotate and spin as it is drawn through the water while being reeled in. In one embodiment, the first and second shanks are integrally formed from a single

elongated wire, with the eye disposed between the ends of the shank at one end and the shanks being disposed side-by-side in parallel. In another embodiment, the shank of one hook is rigidly connected to the shank of the other hook adjacent the bend of the other hook to form a co-linear extension of the other hook. However, the Hnizdor '852 patent does not have a removable sliding weight with movement stops and a horizontal unilateral 3-prong hook that resists snagging.

Similarly, United States Patent Number 2,703,947 to Petrasek discloses a fish lure comprising a concavo-convex spoon member with slightly upwardly curved sides. The spoon member being substantially tear-drop shaped in outline and having a substantially rounded front end and an elongated tail end. The spoon member having an elongated depression formed therein and located centrally and symmetrically to the longitudinal axis thereof. A readily removable elongated weight member is located within the depression. A first screw connects the weight member to the spoon. A hook member comprises a shank extending in a continuation of the longitudinal axis and has an end extending through an opening formed in the tail end. At least one hook upon the other end of the shank and another screw connects the first mentioned end of the shank to the spoon. The first screw associates the spoon member with weights having different masses. However, the Petrasek '947 patent does not have a removable sliding weight with movement stops and a horizontal unilateral 3-prong hook that resists snagging.

Additionally, United States Patent Number 5,022,178 to Carlson discloses a fishing rig for live or artificial bait has a bendable member mounted between at least two hooks, particularly treble hooks, the hooks being mounted with respect to a leader such that when one hook is set in a fish, the bendable member bends upon a pull of the leader and the other hook moves toward the set hook. The bending of the bendable member forces the other hook into a set condition and enlarges the transverse width of the rig within the fish so that a double hooking action is guaranteed. However, the Carlson '178 patent does not have a removable sliding weight with movement stops and a horizontal unilateral 3-prong hook that resists snagging.

Further, United States Patent Number 4,888,910 to Lewis discloses an adjustable snelled hook assembly comprises a fishing line with a trailing hook secured thereto. An

auxiliary hook has a shank, a barb and an eye loosely and slidably mounted upon the fishing line adjustably spaced from the trailing hook. A coil spring is mounted upon the shank and is generally parallel to the fishing line. A plurality of continuous windings of the line extend around and snugly engage the spring and shank to anchor the auxiliary hook upon the fishing line. However, the Lewis '910 patent does not have a removable sliding weight with movement stops and a horizontal unilateral 3-prong hook that resists snagging.

Yet further, United States Patent Number 5,673,508 to Snyder discloses a beaded fishing lure having a weighted body molded to a fish hook and including a beaded trailer hook. A flapper piece oscillates with lure movement about a projecting extension of the hook shank to strike the body and produce audible sound. The flapper is secured to the body with a split ring at aligned apertures and from a slot which mounts about the hook extension. The eye of the trailer hook is secured to the shank of the primary hook and a bead is molded to the trailer hook. A variety of dressings mount to the bead including multi-filament skirts and molded plastic tails. However, the Snyder '508 patent does not have a removable sliding weight with movement stops and a horizontal unilateral 3-prong hook that resists snagging.

Lastly, United States Patent Number 5,386,660 to Levin discloses a fishing hook with curved barb that is resistant to accidental dislodgement from the mouth of a fish, yet which does not pose a snagging hazard to persons handling it. The hook comprises a shank portion, at least one bent return portion, and a barb at the upper end of the return portion. The return portion of the hook has a longitudinal axis which is generally parallel to the longitudinal axis of the shank. The barb terminates in a sharply pointed free end contiguous with a generally semi-tear-drop shaped, relatively blunt, edge surface. That edge surface includes a curved portion spaced laterally of the longitudinal axis of the return portion of the hook and a contiguous undercut portion merging with the return portion of the hook. The curved portion of the edge surface may be directed toward or away from the shank of the hook. However, the Levin '660 patent does not have a removable sliding weight with movement stops and a horizontal unilateral 3-prong hook that resists snagging.

While the above-described devices fulfill their respective, particular objectives and requirements, the aforementioned patents do not describe a bottom fish rig that allows fishing tackle having a removable sliding weight with movement stops and a horizontal unilateral 3-prong hook that resists snagging. The Hnizdor '852, Petrasek '947, Carlson '178, Lewis '910, Snyder '508 and Levin '660 patents make no provision for a removable sliding weight with movement stops and a horizontal unilateral 3-prong hook that resists snagging.

Beside the prior art and aforementioned patents, the present invention has components that are nonobvious, novel, useful, and an improvement over other inventions in the field. A removable sliding weight and a horizontal unilateral 3-prong hook are novel by themselves individually and when used as an element in the bottom fish rig.

A removable sliding c-weight has an appearance and features different from other fishing tackle, such as egg-sinkers, triangular weights, one-eyed sinkers, and elongated salt-water lead sinkers with two bronze eyelets on the opposite ends, and the like. These commercial weights are usually attached to a fishing line by passing the line through an opening, as in the egg sinkers, while the others are usually intended to be stationary by tying a square knot while the line is wrapped around the eyelet. To remove these weights a fisherman usually has to cut the line. Other lighter weights such as split shots have to be crimped with a tool, such as a pliers, to be effective stationary weights.

A removable sliding c-weight in this invention is installed without any tool and is removed quicker than the common fishing tackle weights without cutting the fishing line or the leader to which it is attached. A removable sliding c-weight is installed by passing the line through a first slot and into a first bore, then on the opposite side by passing a leader through a second slot and into a second bore. A removable sliding c-weight would also be made stationary by passing a leader through a first slot and into a first bore, then by running a leader in a longitudinal groove from a first end to a second end, and thirdly on the opposite side passing the leader through a second slot and into a second bore. Another feature that is novel and useful in another embodiment of a removable sliding c-weight is to store fish attractant or inject other sinkable substances into a hollow hull

through a hull hole and sealing it with a plug.

A horizontal unilateral 3-prong hook has an appearance and features different from other fishing tackle, such as commercial treble hooks, and other combination hooks. In the present invention a horizontal unilateral 3-prong hook is quickly attached and removed by opening and closing the snap and swivel which runs through the eye of the a horizontal unilateral 3-prong hook. In comparison to the commercial treble hook, one obvious feature that is different is its appearance and shape. A treble hook stands vertically; a horizontal unilateral 3-prong hook is almost unable to stand vertically. It is off-balanced since the eye and shank are bent toward the barb of the middle hook, and a horizontal unilateral 3-prong hook has a tendency to fall onto its horizontal side. Conversely, when a treble hook lays horizontally on its side, two of its barbs have a tendency of catching and snagging objects. In contrast a horizontal unilateral 3-prong hook has barbs that are parallel to the surface and are resistant to snagging onto objects. When the leader of a horizontal unilateral 3-prong hook is jerked, the force toward the eye causes a horizontal unilateral 3-prong hook to flip upright.

Therefore, a need exists for a new and improved bottom fish rig which can be used for fishing tackle having a removable sliding weight with movement stops and a horizontal unilateral 3-prong hook that resists snagging. In this regard, the present embodiment of the invention substantially fulfills this need.

In this respect, the bottom fish rig according to the present embodiment of the invention substantially departs from the conventional concepts and designs of the prior art, and in doing so provides an apparatus primarily developed for the purpose of fishing tackle having a removable sliding weight with movement stops and a horizontal unilateral 3-prong hook that resists snagging.

SUMMARY OF THE INVENTION

In view of the foregoing disadvantages inherent in the known types of fishing tackle now present in the prior art, the present embodiment of the invention provides an improved bottom fish rig, and overcomes the above-mentioned disadvantages and

drawbacks of the prior art. As such, the general purpose of the present embodiment of the invention, which will be described subsequently in greater detail, is to provide a new and improved bottom fish rig and method which has all the advantages of the prior art mentioned heretofore and many novel features that result in a bottom fish rig which is not anticipated, rendered obvious, suggested, or even implied by the prior art, either alone or in any combination thereof.

To attain this, the present embodiment of the invention essentially comprises an elongated leader having a hook end and a line end. The hook end having a leader hook loop and the leader line end having a leader line loop. A first movement stop is frictionally connected to the leader. A second movement stop is frictionally connected to the leader. The second movement stop is located between the first movement stop and the leader hook end. A sliding c-weight is connected to the leader. The c-weight has a first end having a first bore with an external slot on one side and a second end having a second bore with an external slot on the other side.

There has thus been outlined, rather broadly, the more important features of the embodiment of the invention in order that the detailed description thereof that follows may be better understood and in order that the present contribution to the art may be better appreciated.

The present embodiment of the invention may also include a horizontal unilateral three-pronged hook, a snap and a swivel. There are, of course, additional features of the present embodiment of the invention that will be described hereinafter and which will form the subject matter of the claims attached.

Numerous objects, features and advantages of the present embodiment of the invention will be readily apparent to those of ordinary skill in the art upon a reading of the following detailed description of presently preferred, but nonetheless illustrative, embodiments of the present embodiment of the invention when taken in conjunction with the accompanying drawings. In this respect, before explaining the current embodiment of the embodiment of the invention in detail, it is to be understood that the embodiment of the invention is not limited in its application to the details of construction and to the arrangements of the components set forth in the following description or illustrated in the

drawings. The invention is capable of other embodiments and of being practiced and carried out in various ways. Also, it is to be understood that the phraseology and terminology employed herein are for the purpose of descriptions and should not be regarded as limiting.

As such, those skilled in the art will appreciate that the conception, upon which this disclosure is based, may readily be utilized as a basis for the designing of other structures, methods and systems for carrying out the several purposes of the present invention. It is important, therefore, that the claims be regarded as including such equivalent constructions insofar as they do not depart from the spirit and scope of the present embodiment of the invention.

It is therefore an object of the present embodiment of the invention to provide a new and improved bottom fish rig that has all of the advantages of the prior art fishing tackle and none of the disadvantages.

It is another object of the present embodiment of the invention to provide a new and improved bottom fish rig that may be easily and efficiently manufactured and marketed.

An even further object of the present embodiment of the invention is to provide a new and improved bottom fish rig that has a low cost of manufacture with regard to both materials and labor, and which accordingly is then susceptible of low prices of sale to the consuming public, thereby making such bottom fish rig economically available to the buying public.

Still another object of the present embodiment of the invention is to provide a new bottom fish rig that provides in the apparatuses and methods of the prior art some of the advantages thereof, while simultaneously overcoming some of the disadvantages normally associated therewith.

The bottom fish rig has particular utility in connection with fishing tackle having a strong leader with a notable new removable sliding weight and a horizontal unilateral three pronged hook that resists snagging and reduces possible injuries.

A horizontal unilateral three pronged hook differs from the standard treble hook by having all three barbs oriented upwards in a 180 degree plane and that the horizontal

unilateral three pronged hook is designed to lie flat on the lake bottom without being caught on debris and to flip upright when the leader is being reeled.

Still another object of the present embodiment is being safer by having a horizontal unilateral three pronged hook that could collapse downward when stepped on by someone and prevent an injury.

Still another object of the present embodiment of the invention is to provide different c-weights and horizontal unilateral three pronged hooks that could be removed and also reinserted onto the leader without cutting the line.

Also another object of the present invention is to construct a hollow removable sliding c-weight that could have many different objects and substances inserted into its hollow hull to affect the rate of descent and to attract fish.

Even still another object of the present embodiment of the invention is to provide a bottom fish rig for fishing tackle having various removable sliding weights made of different products having various sizes, shapes and styles.

Lastly, it is an object of the present embodiment of the invention is to provide a bottom fish rig for fishing tackle having a horizontal unilateral three pronged hook that could be easily removed and substituted for other size or different style hooks for use with different baits.

These together with other objects of the embodiment of the invention, along with the various features of novelty that characterize the embodiment of the invention, are pointed out with particularity in the claims annexed to and forming a part of this disclosure. For a better understanding of the embodiment of the invention, its operating advantages and the specific objects attained by its uses, reference should be had to the accompanying drawings and descriptive matter in which there is illustrated preferred embodiments of the invention.

BRIEF DESCRIPTION OF THE DRAWINGS

The embodiment of the invention will be better understood and objects other than those set forth above will become apparent when consideration is given to the following

detailed description thereof. Such description makes reference to the annexed drawings wherein:

Figure 1 is a top perspective view of the preferred embodiment of a bottom fish rig constructed in accordance with the principles of the present invention.

Figure 2 is a front view of a second end of a removable sliding c-weight of a bottom fish rig of the present embodiment of the invention.

Figure 3 is a front view of a left side of a removable sliding c-weight of a bottom fish rig of the present embodiment of the invention.

Figure 4 is a front view of a first end of a removable sliding c-weight of a bottom fish rig of the present embodiment of the invention.

Figure 5 is a top left side perspective view of a second embodiment of a removable sliding c-weight of a bottom fish rig of the invention.

Figure 6 is a left side view of a second embodiment of a removable sliding c-weight of the bottom fish rig of the invention.

Figure 7 is a top view of the second embodiment of the of a removable sliding c-weight bottom fish rig of the invention.

Figure 8 is a front end view of the second embodiment of the c-weight of the bottom fish rig of the present embodiment of the invention.

Figure 9 is a side perspective view of the third embodiment of a horizontal unilateral 3-prong hook of a bottom fish rig of the invention.

Figure 10 is a side perspective view of a fourth embodiment of a horizontal unilateral 3-prong hook of a bottom fish rig of the invention.

Figure 11 is a side perspective view of a fifth embodiment of a horizontal unilateral 3-prong hook of a bottom fish rig of the invention.

The same reference numerals refer to the same parts throughout the various figures.

DESCRIPTION OF THE PREFERRED EMBODIMENT

Referring now to the drawings, and particularly to figures 1-5, a preferred embodiment of the bottom fish rig of the present invention is shown and generally

designated by the reference numeral 12.

In figure 1, a new and improved bottom fish rig 12 of the present invention for fishing tackle having a removable sliding c-weight with a horizontal unilateral three-pronged hook is illustrated and will be described. More particularly, a bottom fish rig 12 has an elongated leader 13 that has two opposite ends, a leader hook end 14 and a leader line end 16. A leader hook end 14 has a leader hook loop 18 that is held securely by a crimped hook loop lug 19 therein. A leader line end 16 has a leader line loop 20 that is attached to the fishing line from a fishing rod. A line end 16 has a leader line loop 20 that is held securely by a crimped line loop lug 21 therein. A first movement stop 22 is frictionally crimped to the leader 13 adjacent the leader line end 16 and after the line loop lug 21. A first movement stop 22 is comprised of a crimped split shot. A second movement stop 24 is frictionally crimped to the leader 13. The second movement stop 24 is located approximately two-thirds of the distance of the bottom fish rig 12 and located between the line leader loop 20 and at the other end the leader hook loop 18. The second movement stop 24 is comprised of a crimped split shot. The second movement stop 24 is located on the leader 13 approximately one-third of the distance from the leader hook end 14.

In Figure 1 a removable sliding c-weight 25 is attached to the leader 13 and is enable to slide freely two-thirds of the length of the leader 13 to the movement stop 24. The c-weight 25 has substantially the c-shape with three main sections, a first end 28, a c-weight hull 26, and a second end 34. The c-weight 25 has a first end 28 with a first bore therethrough 30. The c-weight 25 has a c-weight hull 26 in the central and lower middle section with a longitudinal groove 40. A longitudinal groove 40 extending across the outside of the bottom of the hull 26 and it is a shallow central semi-cylinder groove that connects with the first end 28 and the second end 34. The c-weight 25 has second end 34 with a second bore therethrough 36. The c-weight 25 has a first slot 32 connected to a first bore 30. The c-weight 25 has a second slot 38 as shown in figure 2 connected to a second bore 36. The c-weight 25 has a longitudinal groove 40 therein for allowing the c-weight to be fixedly connected to the leader 13.

Again in Figure 1 one-third of a bottom fish rig 12 is a leader hook end 14. A

swivel 48 is connected to the leader hook loop 18 by running the leader through the eye of the swivel 48 and having it secured by a crimped hook loop lug 19. A snap 46 is connected to the swivel 48. A horizontal unilateral three-pronged hook 41 is attached with a snap 46. A unilateral three-pronged hook 41 has a shank 42 with an eye 43. A wire from an opened snap passes through the eye 43 of the unilateral three-pronged hook 41, then the snap 46 is closed.

A horizontal unilateral three-pronged hook 41 is connected to a snap 46 and a swivel 48 that are attached to a leader 13. A horizontal unilateral three-pronged hook 41 has three welded barbs, a center barb 45 and a pair of symmetrical outer barbs 44 which are disposed within the 180 degree section. The center hook barb 45 stands erect in the same plane as the shank 42 and eye 43. This upward and inward placement of outer barbs 44 allows the horizontal unilateral three-pronged hook 41 to slide upon the lake bottom without being caught on debris.

In figure 2, the second end 34 of the bottom fish rig 12 is illustrated and will be described as by looking from the front but starting from the rear. The leader 13 slides within the removable sliding c-weight 25 as shown in figure 1 by passing the leader 13 through the second slot 38 and wiggling it into the second bore 36. The second end 34 has the second bore therethrough 36. The c-weight 25 has the second slot 38 with a space to the second bore 36. The c-weight 25 has substantially the c-shape when the second end 34 is held upright and the c-weight 25 is viewed from the left side as in figure 3. As an option, the c-weight 25 has a longitudinal groove 40 in its mid-center therein for allowing the c-weight to be fixedly connected to the leader 13 by inserting the leader 13 into the groove 40 and running the leader through the first end 28 across the mid-center bottom of the hull 26 and through the second end 34.

In figure 3, the bottom fish rig 12 is illustrated and will be described from the left side view. The removable sliding c-weight 25 is connected to the leader 13 as shown in figure 1. The c-weight 25 has substantially the c-shape by viewing the left side with the second end 34 on top, the hull 26 vertically and the first end 28 on the bottom. The c-weight 25 has the first end 28. The c-weight 25 has a space from the first slot 32 to the first bore 30 as shown in figure 4. The leader 13 enters the c-weight 25 by sliding it

horizontally into the first end slot 32, and subsequently is moved into the first bore 30 which is behind the first end slot 32. The leader 12 is also removed by sliding it from the first bore 36 into the slot 38 and away from the c-weight 25. The second end 34 has a second end slot 38 and second end bore 36 as shown in figure 2, but since it is on the opposite side of the c-weight 25 they can not be viewed from this left side view.

In figure 4, the first end 28 of the bottom fish rig 12 is illustrated and will be described as by looking from the front. The leader 13 slides within the c-weight 25 as shown in figure 1 by passing the leader 13 through the first slot 32 and wiggling it into the first bore 30. The first end 28 has the first bore therethrough 30. The c-weight 25 has a space from the first slot 32 to the first bore 30. The c-weight 25 has substantially the c-shape when the second end 34 is held upright, the first end 26 is toward the bottom and the c-weight 25 is viewed from the left side as in figure 3. As an option, the c-weight 25 has a longitudinal groove 40 in its mid-center therein for allowing the c-weight to be fixedly connected to the leader 13 by inserting the leader 13 into the groove 40 and running the leader through the first end 28 across the mid-center bottom of the hull 26 and through the second end 34.

Figure 1 through figure 4 are illustrations of a the preferred embodiment of a removable sliding c-weight 25 of a bottom fish rig 12. A nonobvious factor in the preferred embodiment is the c-weight first end 28 has a rising inclined first slot 32 connecting the first bore 30 on the left side. The second end 38 has a rising inclined second slot 38 connecting the second bore 36 on the right side. The inclined shape of the gap in the slot hinders the c-weight 12 from working its way off of the leader 13.

Figure 5 through figure 8 are illustrations of a second embodiment of a removable sliding c-weight 25 of a bottom fish rig 12. New features in the second embodiment of a removable sliding c-weight 25 are affiliated with a hollow c-weight hull 26 having a c-weight hull hole 27 and a c-weight hull hole plug 39. In the second embodiment small objects and different substances could be inserted into the c-weight hull hole 27 such as sand, clay, pebbles, stones, glass, ceramics, brick, silicone, bismuth, plastic, cement, epoxy, glue and pieces of metal, including lead pellets and lead substitutes such as different alloys of iron, steel, aluminum, tin, brass, bronze, zinc, nickel, and recyclable by

products, and the like. Another use for a c-weight hull hole 27 could consist of inserting dense material with specific gravity heavier than water with different fluids including water with dissolved products, pheromones, scents, flavors, blood, egg, grounded fish parts, poultry, beef liver, insect parts, fish attractants, fruit, sugar, jelly, cheese, bread, food products, and the like. The c-weight hull could be made of various volumes and of many substances including lead, lead with a skin from electroplating, spraying, dipping, lead with a coating of zinc orthophosphate, paint, latex, vinyl, nylon, wax, gum, rubber, rubber composite, fiberglass polymer, harden tar, with or without a sealer, polymer based composite material, and also a mixture thereof. The c-weight hull could be made of various volumes and of many substances including different alloys of iron, steel, zinc, aluminum, tin, brass, bronze, ferrotungsten, and combinations thereof, and recyclable mixtures, plastic, synthetic containers, compressed wood, waxed products, epoxy, glue, rubber, frozen fluids, and the like. As an option, small holes could be drilled into the removable sliding c-weight hull 27 by the fisherman to attract fish.

Another difference in the second embodiment in figure 5 through figure 8 the c-weight first end 28 has the first slot on the right side; and an a-frame-shaped inclined second slot 38 on the second end on the left side. The shape of a first slot 32 and a second slot 38, with the different inclines hinder the c-weight 12 from working its way off of the leader 13. The slots 32 and 38 could be formed into other geometric shapes to make small obstacles to prevent the leader for accidentally working its way out of the first bore 30 and the second bore 36.

In figure 5 a second embodiment of the removable sliding c-weight of a bottom fish rig is illustrated and will be described from a top left perspective view. The removable sliding c-weight 25 has substantially the c-shape with three main sections, a first end 28, a c-weight hull 26, and a second end 34 with a new feature a c-weight hull hole 27. The c-weight 25 has a first end 28 with a first bore 30 that has a space to the first slot 32 on the right side. The c-weight 25 has a longitudinal groove 40 running down the outer mid-center of the first end 28 to the bottom, and extending beneath the outer c-weight hull 26 to the second end 34. The c-weight second end 34 has a second bore 36 that is connected to a second slot 38 on the left side. Beneath the second bore 36

at the inner mid-center junction and top of the c-weight hull 26 going toward the first end is a c-weight hole 27. In this embodiment the c-weight hull 26 is hollow and the c-weight hull plug 39 is used to keep substances for entering or leaving the hollow hull 26. A leader 13 is attached on the right side by moving it horizontally through the first slot 32 into the first bore 30 over the top of the second end 34 down the left side to the second slot 38 and slid into the second bore 36 for a freely sliding c-weight. A fixed c-weight would have the leader inserted into the longitudinal groove 40 first then through the first slot 32 and into the first bore 30 and subsequently to the second slot 38 and into the second bore 36.

In figure 6 a second embodiment of the removable sliding c-weight 25 of a bottom fish rig 12 is illustrated and will be described from the left side view. The second end 34 has a second slot 38 that penetrates to the second bore 36. Beneath the second bore 36 and toward the inner top of the c-weight hull 26 is the c-weight hull hole 27. The hollow c-weight hull 26 has a c-weight hole 27 with a c-weight hull plug 39 that could be removed and reinserted. Different substances could be inserted into the c-weight hole 27 to affect the action of the bottom fish rig 12.

In figure 7 a second embodiment of the removable sliding c-weight 25 of a bottom fish rig 12 is illustrated and will be described from the top view. The c-weight first end 28 has a first slot 32 on the right side that connects to the first bore 30. The longitudinal groove 40 runs across the mid-center bottom of the c-weight hull 26. The c-weight second end 34 has a second slot 38 on the right side that is connected to the second bore 36. Beneath the second bore 36 and toward the inner top of the c-weight hull is the c-weight hull hole 27.

In figure 8 a second embodiment of the removable sliding c-weight 25 of a bottom fish rig 12 is illustrated and will be described from the front view. The c-weight first end 28 has a c-weight first bore 30 connected to a c-weight first slot 32 on the right side. The inclined a-framed slope of the two slots are indicated by thicker lines at the c-weight first slot 32 and at the hidden c-weight second slot 38. The shallow central semi-cylinder groove longitudinal groove 40 descends from the first bore 30 down to the bottom of the c-weight hull 26.

Figure 9 through figure 11 are illustrations of a more embodiments of a removable sliding c-weight 25 of a bottom fish rig 12. A horizontal unilateral three-pronged hook 41 used in figure 1 has larger and wider hooks with a smaller shank 42 to eye 43 distance. Horizontal unilateral three-pronged hooks 41 illustrated in figure 9 through figure 11 represent some of the different embodiments and styles that could be incorporated into structuring a horizontal unilateral three-pronged hook 41. A horizontal unilateral three-pronged hook 41 has a set of three welded barbs, a vertical center hook barb is 45 and a pair of two outer hook barbs are 44 which are located within a 180-degree section. The center hook barb 45 stands erect in the same plane as the shank 42 and eye 43 which are bent upward from the horizontal position. The two outer hook barbs 44 are symmetrical between about 45-degrees to about 10-degrees from the flat surface and the same degrees from the center hook barb 45. The angles of the two symmetrical hooks are 180-degrees when added together; if one outer hook barb 44 is 20-degrees, the other outer hook barb 44 will be 160-degrees; if one outer hook barb 44 is 45-degrees, the other outer hook barb 44 will be 135-degrees; and if one outer hook barb 44 is 30-degrees, the other outer barb 44 will be 150-degrees. This upward placement of the barbs 44 that are parallel to the bottom surface allows the horizontal unilateral three-pronged hook 41 to drag upon the bottom of the water without being caught on debris. A horizontal unilateral 3-prong hook has a tendency to fall onto its horizontal side. When the leader of a horizontal unilateral 3-prong hook is jerked, the force toward the eye causes a horizontal unilateral 3-prong hook to flip upright.

In figure 9, a third embodiment, a horizontal unilateral three-pronged hook 41 of the bottom fish rig 12 is illustrated and will be described. A horizontal unilateral three-pronged hook 41 is connected to a snap 46 and a swivel 48 that are attached to a leader 13. A horizontal unilateral three-pronged hook 41 has three equidistant barbs, a vertical center hook barb 45 and a pair of symmetrical outer hook barbs 44 which are disposed within the 180 degree section. As compared to figure 1 the third embodiment has a longer shank 42 and a smaller center hook barb 45 and smaller outer hook barbs 44. This upward and inward placement of the barbs 44 allows the horizontal unilateral three-pronged hook 41 to slide without snagging.

In figure 10, a fourth embodiment, a horizontal unilateral three-pronged hook 41 of the bottom fish rig 12 is illustrated and will be described. A horizontal unilateral three-pronged hook 41 has a shorter vertical center hook barb 45 and a pair of symmetrical outer hook barbs 44 which are disposed within the 180 degree section. This upward and inward placement of the barbs 44 allows the horizontal unilateral three-pronged hook 41 to slide without snagging.

In figure 11, a fifth embodiment, a horizontal unilateral three-pronged hook 41 of the bottom fish rig 12 is illustrated and will be described. A horizontal unilateral three-pronged hook 41 has a longer vertical center hook barb 45 and a pair of symmetrical outer hook barbs 44 which are located within the 180 degree section. This upward and inward placement of the barbs 44 allows the horizontal unilateral three-pronged hook 41 to slide without snagging and to flip upright as the leader is being reeled.

While a preferred embodiment of the bottom fish rig has been described in detail, it should be apparent that modifications and variations thereto are possible, all of which fall within the true spirit and scope of the invention. With respect to the above description then, it is to be realized that the optimum dimensional relationships for the parts of the invention, to include variations in size, materials, shape, form, function and manner of operation, assembly and use, are deemed readily apparent and obvious to one skilled in the art, and all equivalent relationships to those illustrated in the drawings and described in the specification are intended to be encompassed by the present embodiment of the invention. For example, in the bottom fish rig the longer leaders could be made of wire, but the smaller ones could be made of a strong monofilament fishing line; also any suitable sturdy material such iron, steel, glass with plastic coating, may be used instead of the lead for the c-weight described. Also, the treble hook may also be made of stainless steel. The horizontal three-pronged hook could be made into hooks of many sizes, shapes angles of the barbs as well as but not limited to darts, jugs and other lures that may be used. Furthermore, a wide variety of hook sizes, different colored jigs and darts may be used with the bottom fish rig instead of the one described.

In figure 1 leader 13 sizes range from 1/4 meter to more than 1.5 meter long for bottom fish rigs 12 that are for use with large fish and long surf fishing rods. Lugs could

be replaced with knots. Removable sliding c-weights 25 range from fractions of an ounce to several ounces and others have various volumes. An alternative to the preferred embodiment a bottom fish rig could have a c-weight without slots on either side and not be removable.

Therefore, the foregoing is considered as illustrative only of the principles of the embodiment of the invention. Further, since numerous modifications and changes will readily occur to those skilled in the art, it is not desired to limit the embodiment of the invention to the exact construction and operation shown and described, and accordingly, all suitable modifications and equivalents may be resorted to, falling within the scope of the embodiment of the invention.

CLAIMS

I claim:

1. A bottom fish rig comprising:

an elongated leader having two opposite ends, a leader hook end and a leader line end, said hook end having a leader hook loop secured by a leader hook loop lug therein, said line end having a leader line loop leader secured by a leader line loop lug therein;

a first movement stop frictionally connected to said leader adjacent said line end, said first movement stop is comprised of a crimped split shot, said first movement stop abuts the leader line loop lug;

a second movement stop frictionally connected to said leader, said second movement stop located between said first movement stop and said leader hook end, said second movement stop is comprised of a crimped split shot, said second movement stop is located approximately one-third of the way from said leader hook end, and approximately two-thirds of the distance from the line leader loop;

a c-weight that could be removed and reinserted without cutting said leader, said c-weight having a substantially c-shape that could slide along the leader for two-thirds of the said leader, said c-weight having a first end, said first end having a first bore therethrough, said c-weight having a second end, said second end having a second bore therethrough, said c-weight having a gap from a first slot to said first bore on one side , on the second side said c-weight having a gap from a second slot to said

second bore, said c-weight having a central semi-cylinder longitudinal groove across a bottom c-weight hull therein for the option of allowing the c-weight to be fixedly connected to said leader;

a swivel connected to said leader hook loop;

a snap connected to said swivel; and

a horizontal unilateral three-prong hook connected to said snap, swivel, and leader, said horizontal unilateral three-prong hook has a bent eye and shank in the same plane as a vertical center hook barb and a symmetrical pair of outer hook barbs which are disposed within a 180 degree section, this placement of the barbs causes the hook to lay horizontally and allows said hook to slide upon the lake bottom without being caught on debris and to flip upright when the leader is being reeled.

2. The bottom fish rig of claim 1 wherein:

said c-weight having a first end with a first slot connected to said first bore on one side ;

said c-weight having a second end with a second slot connected to said second bore on the opposite side;

said c-weight having a central longitudinal groove connecting said first bore, said c-weight hull and said second bore; and

said c-weight having a central longitudinal groove therein for allowing the c-weight to be fixedly connected to said leader.

3. The bottom fish rig of claim 1 wherein:

said c-weight having a first end with a first slot connected to said first bore on one side ;

said c-weight having a second end with a second slot connected to said second bore on the opposite side;

said c-weight having central bores in said first end and said second end to allow the leader to slide freely; and

said c-weight having a first end with an inclined first slot and on the opposite side said second end with an inclined second slot to hinder the leader from working its way out of the c-weight.

4. The bottom fish rig of claim 1 further comprising:

said c-weight having central bores in said first end and said second end to allow the leader to slide freely therethrough; and

said c-weight having central bores in said first end and said second end without any slots, gaps and spaces on the sides of the bores.

5. The bottom fish rig of claim 1 wherein:

said first movement stop is comprised of crimped split shot; and

said second movement stop is comprised of crimped split shot.

6. The bottom fish rig of claim 1 further comprising:

a swivel connected to said leader hook loop.

7. The bottom fish rig of claim 1 further comprising:

a snap connected to said swivel.

8. The bottom fish rig of claim 1 wherein:

said horizontal unilateral three-pronged hook has three welded horizontal barbs which are disposed within a 180 degree section;

said horizontal unilateral three-pronged hook has a symmetrical pair of outer hook barbs that are upright but under a 45 degree angle;

said horizontal unilateral three-prong hook has a vertically bent eye and shank in the same plane as a vertical center hook barb; and

said horizontal unilateral three-pronged hook has large and wide hooks but with a smaller distance from said shank to said eye.

9. The bottom fish rig of claim 1 wherein:

said horizontal unilateral three-pronged hook has a center hook barb that stands erect in the same plane as the shank and eye which are bent upward from the horizontal position;

said horizontal unilateral three-pronged hook has three equidistant barbs, a center hook barb and a pair of symmetrical outer hook barbs which are oriented within a horizontal 180 degree section; and

said horizontal unilateral three-pronged hook has one outer hook barb at 30-degrees, the other outer barb will be at 150-degrees.

10. The bottom fish rig of claim 1 wherein:

said horizontal unilateral three-pronged hook has a center hook barb that stands erect in the same plane as the shank and eye which are bent upward from the horizontal position;

said horizontal unilateral three-pronged hook has a shorter center hook barb and a pair of symmetrical longer outer hook barbs which are located within the 180-degree section;

said horizontal unilateral three-pronged hook has one outer hook barb at 20-degrees, the other outer hook barb will be at 160-degrees.

11. The bottom fish rig of claim 1 wherein:

said horizontal unilateral three-pronged hook has a center hook barb that stands erect in the same plane as the shank and eye which are bent upward from the horizontal position;

said horizontal unilateral three-pronged hook has a longer vertical center hook barb and a pair of shorter symmetrical outer hook barbs which are located within the horizontal 180-degree section;

said horizontal unilateral three-pronged hook has one outer hook barb at 45-degrees, the other outer hook barb will be at 135-degrees.

12. The method of the bottom fish rig of claim 1 comprising:

- a) a long leader that is approximately 1-½ meters long;**

- b) a short leader that is approximately 1/4 meter long;
- c) a preferred embodiment with a leader that is approximately 1/3 meter long;
- d) a long leader that is constructed from wire or monofilament fishing line; and
- e) a short leader that is constructed from monofilament fishing line or wire.

13. A bottom fish rig comprising:

an elongated leader having two opposite ends, a leader hook end and a leader line end, said hook end having a leader hook loop secured by a leader hook loop lug therein, said line end having a leader line loop leader secured by a leader line loop lug therein,

a first movement stop frictionally connected to said leader adjacent said line end, said first movement stop is comprised of a crimped split shot, said first movement stop abuts a leader line loop lug,

a second movement stop frictionally connected to said leader, said second movement stop located between said first movement stop and said leader hook end, said second movement stop is comprised of a crimped split shot, said second movement stop is located approximately one-third of the way from said leader hook end, and approximately two-thirds of the distance from the line leader loop;

a c-weight that could be removed and reinserted without cutting

said leader, said c-weight having a substantially c-shape that could slide along the leader for two-thirds of the said leader, said c-weight having a first end, said first end having a first bore therethrough, said c-weight having a second end, said second end having a second bore therethrough, said c-weight having a gap from a first slot to said first bore on one side, on the opposite side said c-weight having a gap from a second slot to said second bore, beneath the second bore is a hull hole and a hull hole plug, and said c-weight having a central semi-cylinder longitudinal groove across a bottom of a hollow c-weight hull therein for the option of allowing the c-weight to be fixedly connected to said leader;

a hull hole plug stops material from entering and leaving a hollow c-weight hull;

a swivel connected to said leader hook loop;

a snap connected to said swivel; and

a horizontal unilateral three-prong hook connected to said snap, swivel, and leader, said horizontal unilateral three-prong hook has a bent eye and shank in the same plane as a vertical center hook barb and a symmetrical pair of outer hook barbs which are disposed within a 180 degree section, this placement of the barbs causes the hook to lay horizontally and allows said hook to slide upon the lake bottom without being caught on debris and to flip upright when the leader is being reeled.

14. A bottom fish rig of claim 13 comprising:

an elongated leader having two opposite ends, a leader hook end and a leader line end, said hook end having a leader hook loop formed by a knot therein, said line end having a leader line loop leader formed by a knot therein.

15. The bottom fish rig of claim 13 wherein:

said c-weight having said hollow c-weight hull that could be removed and reinserted without cutting said leader;

said hollow c-weight hull having a c-weight hull plug;

said hollow c-weight hull having an adjacent first end with a first slot connected to said first bore on one side;

said hollow c-weight hull having an adjacent second end with a second slot connected to said second bore on the opposite side;

said hollow c-weight hull having a central longitudinal groove connecting said first bore, said c-weight hull and said second bore; and

said hollow c-weight hull having an external central longitudinal groove therein for allowing the c-weight to be fixedly connected to said leader.

16. The bottom fish rig of claim 13 wherein:

said c-weight having said hollow c-weight hull that could be removed and reinserted without cutting said leader;

said hollow c-weight hull having a c-weight hull plug;

said hollow c-weight hull having an adjacent first end with a first slot connected to said first bore on one side ;

said hollow c-weight hull having an adjacent second end with a second slot connected to said second bore on the opposite side;

said hollow c-weight hull having adjacent central bores in said first end and said second end to allow the leader to slide freely; and

said hollow c-weight hull having an adjacent first end with an inclined first slot and on the opposite side said second end with an inclined second slot to hinder the leader from working its way out of the c-weight.

17. The bottom fish rig of claim 13 further comprising:

said hollow c-weight hull having a c-weight hull plug;

said hollow c-weight hull having adjacent central bores in said first end and said second end to allow the leader to slide freely within; and

said hollow c-weight hull having adjacent central bores in said first end and said second end without any slots, gaps and spaces on the sides of the bores.

18. In combination, the bottom fish rig of claim 13 further comprising:

said removable sliding c-weight with a hollow c-weight hull having a c-weight hull hole and having a c-weight hull hole plug that stops

material from entering and leaving a hollow c-weight hull;

said removable sliding c-weight with a hollow c-weight hull having a c-weight hull hole in which small objects and different substances could be inserted into the c-weight hull hole such as sand, clay, pebbles, stones, glass, ceramics, brick, silicone, plastic, cement, epoxy, glue and including from the group consisting of pieces of metal, lead pellets and lead substitutes such as different alloys of iron, steel, aluminum, tin, brass, bronze, zinc, nickel, bismuth, and recyclable by products, and the like; and

said removable sliding c-weight with a hollow c-weight hull having a c-weight hull hole in which dense material with specific gravity heavier than water is inserted with different fluids including water with dissolved products, pheromones, scents, flavors, blood, egg, grounded fish parts, poultry, beef liver, insect parts, fish attractants, fruit, sugar, jelly, cheese, bread, food products, and the like; and

said removable sliding c-weight having a hollow c-weight hull in which small holes could be drilled into the c-weight hull by the fisherman to attract fish with the contents.

19. In combination, the bottom fish rig of claim 13 further comprising:

said removable sliding c-weight affiliated with a hollow c-weight hull having a c-weight hull hole and having a c-weight hull hole plug that stops material from entering and leaving a hollow c-weight hull;

said removable sliding c-weight having a hollow c-weight hull made of various volumes and of many substances including lead, lead with a skin from electroplating, spraying, dipping, lead with a coating of zinc orthophosphate, paint, latex, vinyl, nylon, wax, gum, rubber, rubber composite, fiberglass polymer, harden tar, with or without a sealer, polymer based composite material, and also a mixture thereof;

said removable sliding c-weight having a hollow c-weight hull made of various volumes and of many non-lead substances including different alloys of iron, steel, zinc, aluminum, tin, brass, bronze, ferrotungsten, and combinations thereof, and recyclable mixtures, plastic, synthetic containers, compressed wood, waxed products, epoxy, glue, rubber, frozen fluids, and the like; and

said removable sliding c-weight having a hollow c-weight hull in which small holes could be drilled into the c-weight hull by the fisherman to attract fish with the contents.

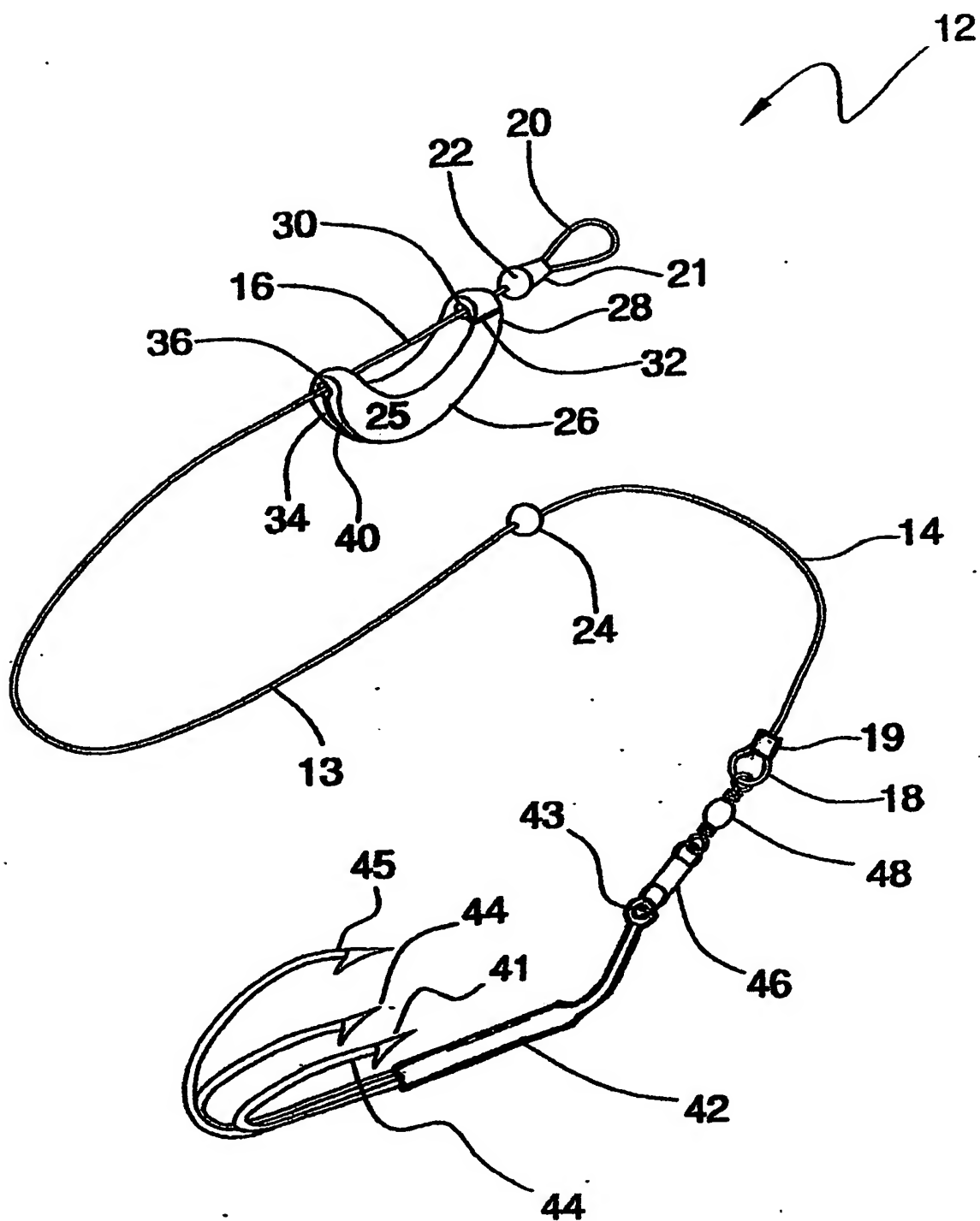
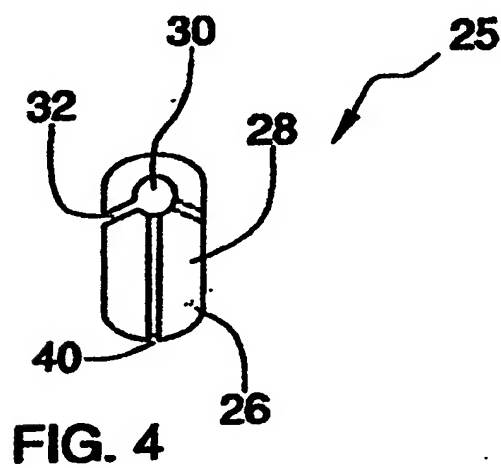
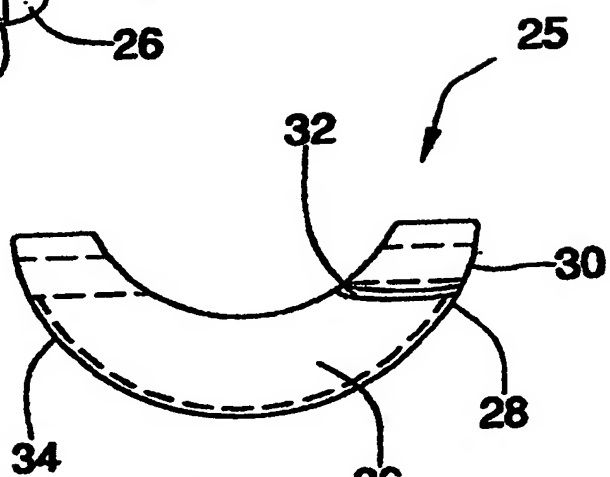
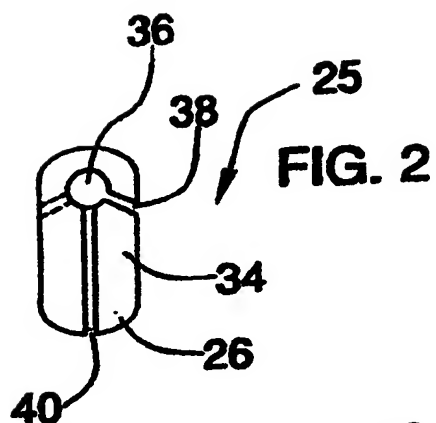
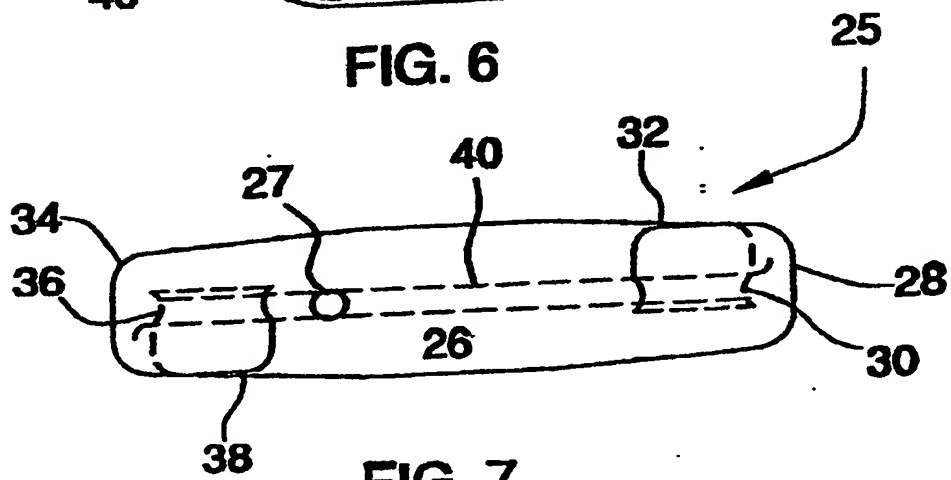
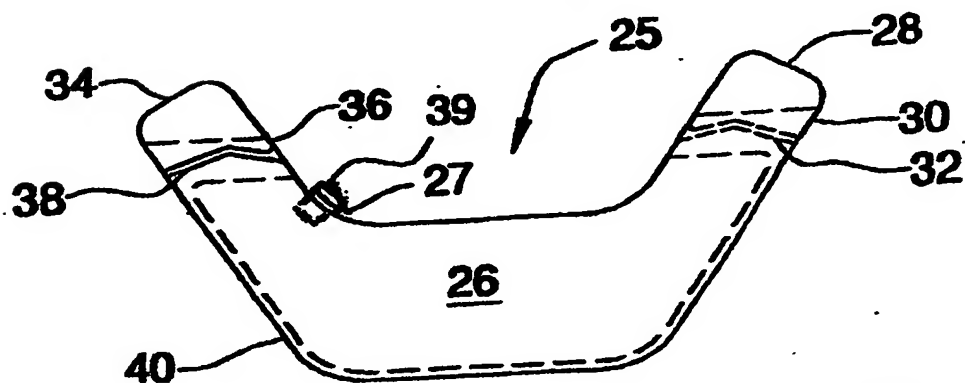
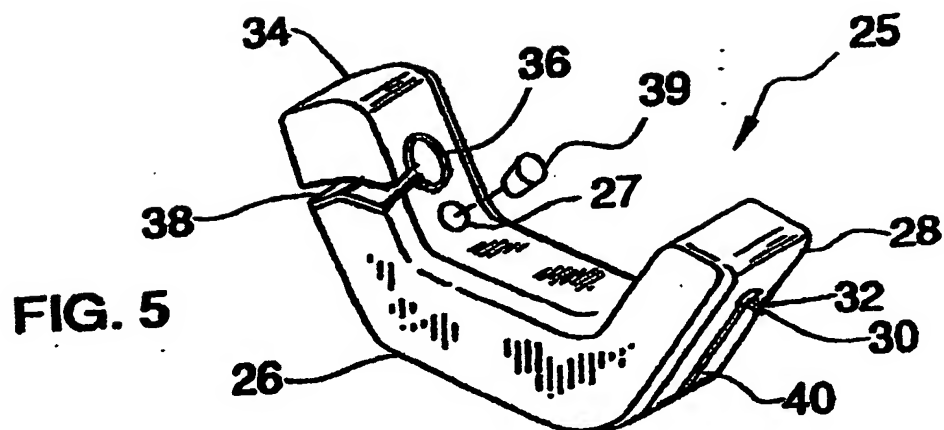


FIG. 1





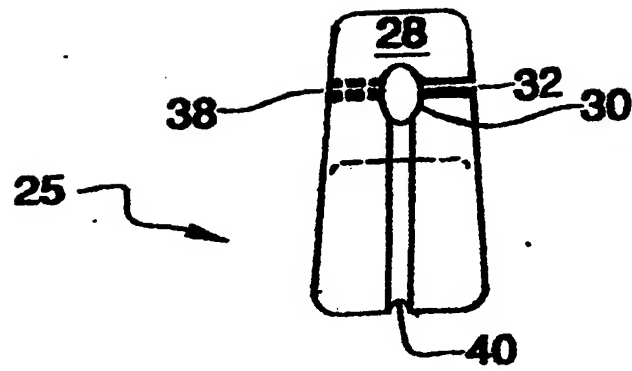


FIG. 8

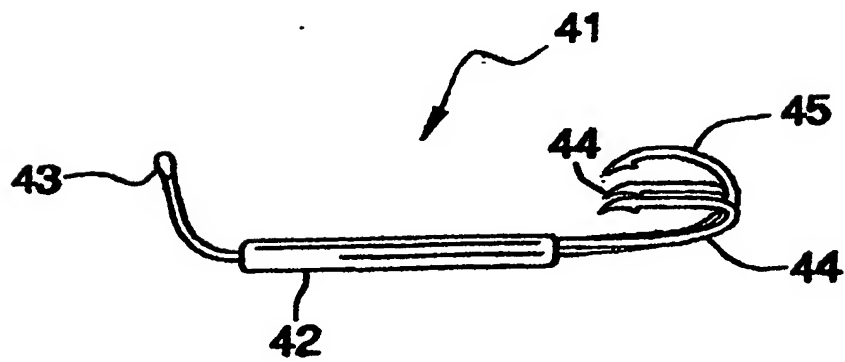


FIG. 9

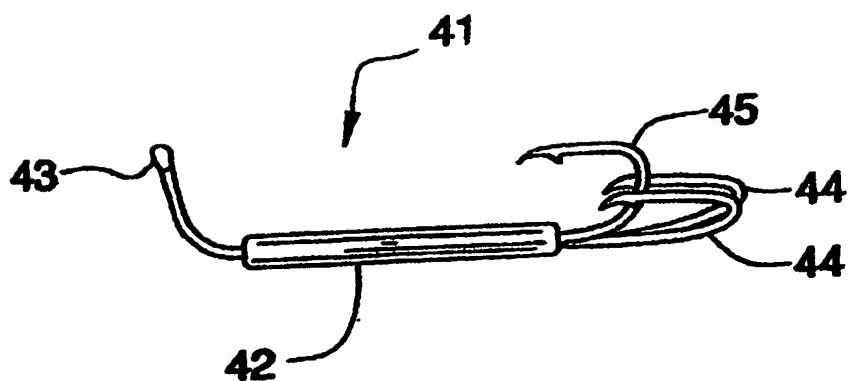


FIG. 10

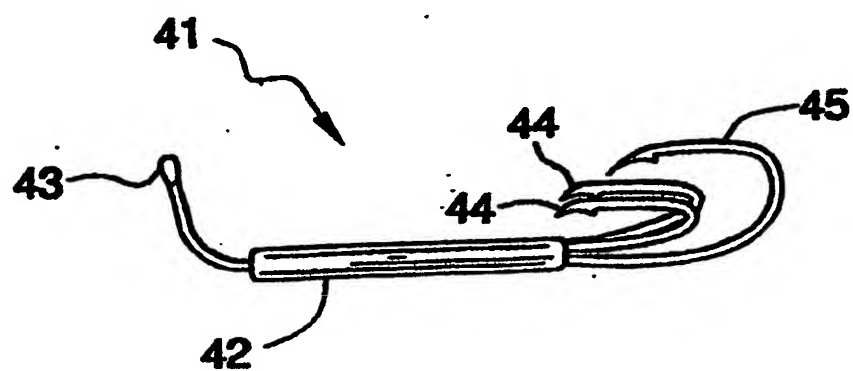


FIG. 11

REFERENCE NUMERALS IN DRAWINGS OF A BOTTOM FISH RIG

12	bottom fish rig	38	c-weight second slot
13	leader	39	hull hole plug
14	leader hook end	40	c-weight groove
16	leader line end	41	horizontal unilateral 3-prong hook
18	leader hook loop	42	shank
19	leader hook loop lug	43	eye
20	leader line loop	44	outer hook barb
21	leader line loop lug	45	center hook barb
22	first movement stop	46	snap
24	second movement stop	48	swivel
25	removable sliding c-weight		
26	c-weight hull		
27	c-weight hull hole		
28	c-weight first end		
30	c-weight first bore		
32	c-weight first slot		
34	c-weight second end		
36	c-weight second bore		



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10/724,859	11/30/2003	Frank T. Brzozowski		2177

7590 09/09/2004
Frank T. Brzozowski
2357 E. Dauphin Street
Philadelphia, PA 19125

EXAMINER

HAYES, BRET C

ART UNIT	PAPER NUMBER
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3644

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/724,859

Applicant(s)

BRZOWSKI, FRANK T.

Examiner

Bret C Hayes

Art Unit

3644



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☒ Claim(s) 1-19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. An examination of this application reveals that applicant is not altogether familiar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

Applicant is advised of the availability of the publication "Attorneys and Agents Registered to Practice Before the U.S. Patent and Trademark Office." This publication is for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Information Disclosure Statement

2. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Drawings

3. The drawings are objected to because page 6 is a listing of components of the claimed invention and includes no Figure number. To correct this, amend the page to include a Figure number and amend the specification to include a brief description of the drawing sheet.

Art Unit: 3644

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claims 1 – 19 are objected to because of the following informalities.
5. Claim 1, line 17 (1:17, hereinafter), "the said" before "leader" should be either --the leader-- or --said leader--; 1:20, "on one side ," should be --on one side,--; 1:21, "the second side" should be --the other side--; 1:32, "the lake bottom" should be --a lake bottom--.
6. Claims 2 – 12, examiner suggests revisiting and revising the claims to eliminate verboseness, such as limitations previously recited. An example of which includes, 2:8, "said c-weight having a central longitudinal groove therein for allowing the c-weight to be fixedly connected to said leader." This limitation is fully recited in the base claim and the claim should

Art Unit: 3644

avoid repeating the limitation unless a new and different limitation is made in the dependent claim to narrow the scope of the claim. All such unnecessary obfuscation should be avoided.

7. Claim 3, line 8, “said c-weight having...out of the c-weight”, examiner suggests the following: --wherein the (or said) first end has an inclined first slot and the (or said) second end has an inclined second slot to hinder the c-weight from being removed from the leader--.

Examiner notes in the preceding suggestion that the term --the (or said)-- is meant to suggest the use of only one, --the--, or the other, --said--, and the claim must not be revised to include both.

This will apply to all following similar objections.

8. Claim 4, line 5, “gasp” should be --gaps--.

9. Claims 5 – 7 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Similarly to claim 2, as described above, claim 5 does not narrow the scope of the base claim in that both recited stops are comprised of crimped split shot in claim 1 at lines 7, 8, 11 and 12, respectively. Regarding claims 6 and 7, claim 1, lines 25 and 26, respectively, recite the claimed limitations.

10. Claim 8, line 9, “with a smaller distance from said shank to said eye” than what?

11. Claim 12, line 1, “method of the” should be removed as no method has been recited and it appears that the claim is merely limiting the scope of the elongated leader of claim 1, line 2.

12. Claim 13, line 17, “the said” before “leader” should be either --the leader-- or --said leader--; 13:26, “a hull” should be --wherein the (or said) hull-- and “a hollow” should be --the (or said) hollow--; 13:32, “the lake bottom” should be --a lake bottom--.

Art Unit: 3644

13. Claim 14, line 1, "comprising...therein" should be replaced with --wherein the (or said) leader hook loop is formed by a knot therein and the (or said) leader line loop is formed by a knot therein--.

14. Claims 15 – 19, examiner suggests revisiting and revising the claims to eliminate verboseness, such as limitations previously recited similarly to claims 2 – 12 noted above.

15. Claim 17, line 6, "gasp" should be --gaps--.

16. Claim 18, lines 7 and 10, the phrase "such as" should be replaced with --including--, line 9, insert --any-- before "from", lines 11 and 12, "by products" should be --byproducts--, lines 12 and 18, "and the like" should be removed entirely, and lines 19 – 21 should be removed and replaced with --wherein the (or said) hollow c-weight hull includes small through-holes to allow passage of the objects, substances or material to attract fish--.

17. Claim 19, line 2, "affiliated with" should be --having--, line 16, "and the like" should be removed entirely, and lines 17 – 19 should be removed or the claim amended to depend upon claim 18 and the lines amended as suggested for lines 19 – 21 of claim 18 above.

18. Appropriate correction is required.

Allowable Subject Matter

19. Claims 1 – 19 would be allowable if amended to overcome the objections raised above.

20. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record neither discloses nor fairly teaches the recited limitations of the claimed combination including, but not limited to: an elongated leader, a first stop, a second stop, a c-weight as claimed, a swivel, a snap, and a horizontal unilateral three-prong hook.

21. This statement is not intended to necessarily state all the reasons for allowance or all the details why the claims are allowed and has not been written to specifically or impliedly state that all the reasons for allowance are set forth (MPEP 1302.14).

Conclusion

22. This application is in condition for allowance except for the following formal matters:
See the objections to the claims 1 – 19 above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte*
Quayle, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS**
from the mailing date of this letter.

Any inquiry concerning this communication should be directed to Bret Hayes at
telephone number (703) 306 – 0553. The examiner can normally be reached Monday through
Friday from 5:30 am to 3:00 pm, Eastern Standard Time. Also, should Applicant wish to speak
to the examiner via a telephonic interview, examiner is amenable to such.

If attempts to contact the examiner by telephone are unsuccessful, the examiner's
supervisor, Teri Luu, can be reached at (703) 305 – 7421. The fax number is (703) 872 – 9306.

bh

9/5/04



TERI P. LUU
SUPERVISORY PRIMARY EXAMINER

Notice of References Cited	Application/Control No. 10/724,859	Applicant(s)/Patent Under Reexamination BRZOZOWSKI, FRANK T.	
	Examiner Bret C Hayes	Art Unit 3644	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,887,381	03-1999	Stephenson, Timothy L.	43/43.15
	B	US-5,678,351	10-1997	Halterman, Jr., Danny R.	43/43.1
	C	US-4,696,125	09-1987	Rayburn, Walter	43/43.14
	D	US-4,209,933	07-1980	Manno, Joseph T.	43/43.15
	E	US-3,701,212	10-1972	Gilliam, Joe L.	43/44.87
	F	US-3,118,245	01-1964	Shriver, Lloyd L.	43/43.15
	G	US-3,096,599	07-1963	Baron, Charles	43/44.9
	H	US-2,766,549	10-1956	Dickerson, William	43/44.98
	I	US-2,703,947	03-1955	Petrasek et. al.	43/42.39
	J	US-2,177,007	10-1939	Smith, Wallace E.	43/44.88
	K	US-2,019,630	11-1935	Peeso, Martin E.	43/43.11
	L	US-1,883,574	10-1932	Cleeland, John S.	43/43.1
	M	US-1,208,936	12-1916	England, Henry	43/43.6

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Ser. Nr. 07/088,691 (Koppe) Amendment A, contd. 2

P. 9, l. 9, change "(25 in" to --26 (--.

P. 11, last line, delete "4, , ,".

P. 12, l. 12, delete "the".

P. 13, l. 21, delete "use of".

P. 13, l. 22, after "begins" insert --in--.

CLAIMS:

Cancel the claims of record (1 to 23) and substitute new claims 24 to 46 as follows:

24. In a bag closure of the type comprising a flat body of material having two major sides which face in opposite directions, a lead-in notch beginning at one edge of said body of material and extending into said body, a gripping aperture in said body which is adjacent to and which communicates with said notch, and a layer of paper laminated to one side of said body,

the improvement wherein said flat body of material is made of a flexible plastic of the type which can be repeatedly bent and straightened without fracture, whereby said closure can be bent so that it can easily be removed from bag without damaging said bag, and thereafter can be straightened so that it can be re-used as a closure on said bag, and whereby any bending of said closure will cause said paper layer to tear or

IN THE US PATENT AND TM OFFICE

Appn. Number: 07/088,691

Filing Date: 1987-8-24

Applicant(s): Koppe, Lou W.

Appn. Title: Paper-Laminated Pliable Closure For Plastic Bags

Examiner: V. R. Sakran/GAU 357

Dist. Nr./File: PH/Koppe8.412

Mailed 1988 Apr 12
San Francisco, CA

AMENDMENT A

Commissioner of Patents and Trademarks
Washington, District of Columbia 20531

Sir:

In response to the Office letter mailed 01/12/88, kindly amend the above application as follows:

SPECIFICATION:

P. 3, l. 11, change "4 ,," to --4,694,542--.

P. 5, l. 3, change "4, (1987)" to --mentioned above--.

P. 8, l. 5, change "(25 in" to --20 (--.

P. 8, l. 7, change "hyphens" to --abbreviated "pvt", hyphens--.

Ser. Nr. 07/088,691 (Koppe) Amendment A, contd.

3

be distorted so as to leave an indication that said closure was bent and possibly removed and replaced.

25. The closure of claim 24 wherein said body of material is composed of polyethylene-terephthalate.

26. The closure of claim 24 wherein said body is elongated and has a longitudinal groove on said one side of said body and extends the full length of said one side, from said gripping aperture to the opposite edge.

27. The closure of claim 26 wherein said groove is formed into and along the full length of said layer of paper.

28. The closure of claim 24 wherein said body is elongated and has a longitudinal groove which is on the side of said body opposite to said one side thereof and extends the full length of said one side, from said gripping aperture to the opposite edge.

29. The closure of claim 24 wherein said body is elongated and has two longitudinal grooves which are on opposite sides of said body and extend the full lengths of said sides, from said gripping aperture to the opposite edge.

30. The closure of claim 29 wherein the groove on said one side of said body is formed into and along the full length of said layer of paper.

31. The closure of claim 24 wherein said body has paper layers laminated to both of said sides, respectively, of said body of

Ser. Nr. 07/088,691 (Koppe) Amendment A, contd.

4

material.

32. The closure of claim 31 wherein a groove is on one side of said body of material and extends the full length of said one side, from said gripping aperture to the opposite edge.

33. The closure of claim 32 wherein two grooves are formed on opposite sides of said body, said grooves extending the full lengths of said sides, from said gripping aperture to the opposite edge.

34. The closure of claim 33 wherein said grooves are rolled into and along the full lengths of said layers of paper, respectively.

35. The closure of claim 24 wherein said layer of paper is colored.

36. The closure of claim 24 wherein said body is elongated and has a longitudinal through-hole parallel to and between said major sides thereof.

37. A bag closure of the type comprising a flat body of material having a lead-in notch on one edge thereof, a gripping aperture adjacent to and communicating with said notch, and a layer of paper laminated on one of its sides, characterized in that said flat body of material is made of a flexible plastic of the type which can be repeatedly bent and straightened without fracture, whereby said closure can be

Ser. Nr. 07/088,691 (Koppe) Amendment A, contd.

5

bent so that it can easily be removed from bag without damaging said bag, and thereafter can be straightened so that it can be re-used on said bag as a closure therefor, and whereby such bending of said closure will cause said paper layer to tear or distort so as to leave an indication that said closure was bent and possibly removed and replaced.

38. The closure of claim 37 wherein said body of material is composed of polyethylene terephthalate.

39. The closure of claim 37 wherein said body is elongated and has a longitudinal groove which is on said one side of said body and which extends the full length of said one side, from said gripping aperture to the opposite edge.

40. The closure of claim 37 wherein said body is elongated and has a longitudinal groove which is on the side of said body opposite to said one side thereof and extends the full length of said one side, from said gripping aperture to the opposite edge.

41. The closure of claim 37 wherein said body is elongated and has two longitudinal grooves which are on opposite sides of said body and extend the full lengths of said sides, from said gripping aperture to the opposite edge.

42. The closure of claim 37 wherein said body has a paper lamination on both of said sides.

43. The closure of claim 42 wherein a groove is on one side of said body and extends the full length of said one side,

Ser. Nr. 07/088,691 (Koppe) Amendment A, contd.

6

from said gripping aperture to the opposite edge.

44. The closure of claim 42 wherein two grooves, on opposite sides of said body, extend the full lengths of said sides, from said gripping aperture to the opposite edge.

45. The closure of claim 37 wherein said layer of paper is colored.

46. The closure of claim 37 wherein said body is elongated and has a longitudinal through-hole.

REMARKS--General

1. Several editorial corrections have been made in the specification, including updating the missing patent number.

2. The objection to the drawings has been noted; new drawings will be filed after allowance.

3. Enclosed is an Information Disclosure Statement listing the patents mentioned in the introductory portion of the present specification. Applicant regrets this omission.

4. The claims of record have all been rewritten and replaced with new claims 24 to 46 in order to define the invention more particularly over the cited references. These claims are all submitted to be patentable over the cited references because (1) they recite novel structure and thus distinguish physically over every reference (Sec. 102), and (2) the physical distinctions effect new and unexpected

Ser. Nr. 07/088,691 (Koppe) Amendment A, contd.

7

results, thereby indicating that the physical distinction are unobvious under Sec. 103.

The Claims All Distinguish Over The References Under Sec. 102

5. The two independent claims, and hence all claims, distinguish over the references under Sec. 102 because they recite a bag closure made of a body of material having a lead-in notch, a communicating gripping aperture, and a layer of paper laminated to one side thereof, characterized in that the body of material is made of a flexible plastic which can be repeatedly bent and straightened without fracture, thereby providing a closure which can be bent and straightened so that it can be removed and re-used, yet will still provide an indication that it was removed.

6. The cited and relied-upon Arnold et al. (Arnold) patent shows a closure tab which is made of a "rigid" (e.g., col. 2, l. 36) substrate. Arnold gives, as examples of a suitable material for his substrate, polystyrene, polyvinyl chloride, and polyimide. All of these materials are brittle or very rigid and cannot be bent and straightened even once without fracture, much less repeatedly.

7. The cited and relied-upon Parmenter patent shows a bag closure but does not give any details of the type of plastic used. However Parmenter's closure uses an integral or "living" hinge. Therefore it probably is made of a soft, flexible plastic. However Parmenter does not teach, show, or suggest that any paper layer can be applied to one or both sides of his tab, as applicant's claims now recite.

8. The cited and relied-upon Mesek et al. (Mesek) patent shows an

Ser. Nr. 07/088,691 (Koppe) Amendment A, contd.

8

absorbent bed pad. The Fig 2 embodiment comprises a polyethylene layer 12 with a fibrous layer 16 attached along bead lines 14. Mesek's Fig 8 embodiment is said to be similar, except that an additional layer 213' of a short-fiber enriched material with a paper-like skin 218 is added. The base layer in Fig 8 is layer 214r, which does not appear to be mentioned, but which appears similar to layer 14 of Fig 2. Mesek does not appear to have any paper-like layers laminated to both sides of his base layer and of course does not have the lead in notch or the communicating holding aperture, as recited in the independent claims.

9. The other cited but not relied-upon patents are also deficient in one or more of the above-discussed physical features of the independent claims.

10. Since the independent claims both recite features which are not present in any reference, applicant submits that these claims, and hence all of the dependent claims, clearly recite novel physical features which distinguish over any and all references under Sec. 102.

The Novel Physical Features Of The Claims Provide New And Unexpected Results And Hence Should Be Considered Obvious, Making The Claims Patentable Under Sec. 103

11. Applicant submits that the above-recited novel features in the independent claims, and hence in all claims, provide new and unexpected results and hence should be considered unobvious, making the claims patentable under Sec. 103.

12. Specifically, by making the substrate or body of the closure of a

Ser. Nr. 07/088,691 (Koppe) Amendment 'A, contd.

9

flexible plastic which can be repeatedly bent and straightened without fracture, cracking, or tearing, the closure can be repeatedly bent to be removed from its bag, and then replaced and straightened, without damage to itself or the bag. However when the closure is bent and removed and then straightened and replaced, the paper layer on the closure will provide a tell-tale tear or indication that the closure was bent and straightened and probably removed. Thus even though the closure is easily reusable, it inherently will provide an indication when it has been removed. Thus any adulteration, poisoning, or fraud (due to bag exchanges by dishonest consumers) can easily be detected by the consumer or checkout cashier.

13. None of the prior-art closures can provide these new and unexpected results:

Arnold's tab, being made of rigid, frangible plastic, can't be removed without either (a) damaging the bag, or (b) bending the tab (whereupon it will fracture and can't be re-used). In contrast, applicant's device is bendable so that it can easily be removed and replaced repeatedly without damaging the bag.

Parmenter's closure has no paper layer so that it can't be easily labeled and lacks all of the advantages listed in the present specification. Moreover Parmenter's closure, having no paper layer, can be straightened after it is bent and removed without providing any indication that it was removed. Thus Parmenter's closure can't be used to prevent adulteration, fraud, or poisoning, as can applicant's.

Meek doesn't show any bag closure whatever.

LHC
6/4/12

Ser. Nr. 07/088,691 (Koppe) Amendment A, contd.

10

14. Since the novel above physical features of applicant's device provide these new and unexpected results over any reference, applicant submits that these new results indicate unobviousness and hence patentability. Accordingly applicant respectfully requests reconsideration and allowance of the present application with the above new claims.

Additional Reasons Mitigate In Favor Of Obviousness

15. In addition to the above new and unexpected results, applicant submits that additional reasons mitigate in favor of patentability, as follows:

16. Unrecognized Problem: Up to now, insofar as applicant is aware, the art contained no indication of the desirability of providing a reusable plastic bag closure which also could indicate, in a permanent manner, that it had been removed and replaced. The discovery of this problem, as well as the concomitant ability to protect against adulteration, fraud, or poisoning, as well as provide reusability, is submitted to be an important one, worthy of patent protection.

17. Crowded Art: The present invention is in a crowded art (note all of the references on bag closures which are cited in the introductory portion of the present specification). It is well recognized that in a crowded art, even a small step forward is worthy of patent protection. While the present invention is submitted to be far more than a small one, nevertheless this factor mitigates in applicant's favor.

18. Long-Felt But Unsolved Need: The present invention solves a long-

Per. Nr. 07/088,691 (Koppe) Amendment A, contd.

12

21. In the present case, the rejection of certain claims uses the Mesek patent, which relates to an absorbent bed pad, a field far removed from plastic bag closures. There would be no reason for one skilled in the art to combine disparate references such as Mesek and either of the other relied-upon references. And there is no suggestion in the references themselves that they be combined. Thus applicant submits that any combination of Mesek with the two other references is an improper one, absent any showing in the references themselves that they can or should be combined.

The Dependent Claims Are A-Fortiori Patentable

22. The dependent claims add additional novel features and thus are submitted to be, a-fortiori, patentable. For example, claim 25 recites that the substrate is made of PET, a plastic with a memory which retains its bend, thereby facilitating re-installation on a bag; none of the references show any closures made of PET. Claim 26 recites the groove on both sides. None of the references show this feature. The provision of a groove on both sides facilitates bending and tearing of the laminated paper layers. Claim 27 recites that the groove is in the layer of paper; this also facilitates bending and tearing. Claim 31 recites the paper layers on both sides; this insures full tearing because at least one side will be subject to a convex bend regardless of the way the substrate is bent. Claim 36 recites the through hole in the plastic substrate; this weakens the substrate and facilitates a sharp, paper-tearing bend.

Per. Nr. 07/088,691 (Koppe) Amendment A, contd.

11

existing but unsolved (and unrecognized) need and therefore is submitted to be worthy of patent protection. Specifically, although bag closures of the plastic type have been in use for many years, they had numerous inherent disadvantages, as stated in the prior-art section of the present specification. Users suffered from the inability to re-use the closures and still have some indication that a closure had been used or the container had been opened. The present invention provides both of these features, thereby solving a long-felt need in this area.

19. Suggested Combination: The need for the prior art references themselves to suggest that they can be combined is well-known. E.g., as was stated in *In re Serrano*, 217 U.S.P.Q. 1, 6 (CAFC 1983):

"[P]rior art references in combination do not make an invention obvious unless something in the prior art references would suggest the advantage to be derived from combining their teachings."

20. The suggestion to combine the references should come from the prior art, rather than from applicant. As was forcefully stated in *Orthopedic Equipment Co. Inc. v. United States*, 217 U.S.P.Q. 193, 199 (CAFC 1983):

"It is wrong to use the patent in suit [here the patent application] as a guide through the maze of prior art references, combining the right references in the right way to achieve the result of the claims in suit [here the claims at issue]. Monday morning quarterbacking is quite improper when resolving the question of nonobviousness in a court of law [here the PTO]."

Ser. Nr. 07/088,691 (Koppe)

Amendment A, contd.

13

The Cited But Non-Applied References

23. These subsidiary references have been studied, but are submitted to be less relevant than the relied-upon references.

Request For Constructive Assistance

24. The undersigned has made a dilligent effort to amend the claims of this application so that they define novel structure (closure is made of a flexible, repeatedly-bendable material) which is also submitted to render the claimed structure unobvious because it produces new and unexpected results (repeatedly re-usable closure which provides tell-tale indication if removed). If, for any reason the claims of this application are not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP 707.07(j) or in making constructive suggestions pursuant to MPEP 706.03(d) in order that this application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,



Lou W. Koppe

Applicant Pro Se

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(403) 776-3960

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on 1988-4-12
(Date of Deposit)

L. W. Koppe
Name of applicant, assignee, or Registered Rep.
L. W. Koppe 88-4-12
Signature Date